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FILE NO. 45-94-21

ORDINANCE NO. 201-94

RO #93260

AUTHORIZING SETTLEMENT OF OF INSURANCE COMPANY OF THE WEST AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $9,000.00.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled INSURANCE COMPANY OF THE WEST v. CITY AND COUNTY OF SAN FRANCISCO, et al. Municipal Court No. 097-892 by the payment of $9,000.00.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK MAHONEY
Chief Trial Deputy

RECOMMENDED:

JOHN E. CRIBBS
Director of Public Works

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

06 532 90 02 00
602243 1450 089 41 $9,000.00

APR 11 1994

APPROVED:

RUDOLF NOTHENBERG
Chief Administrative Officer

BOARD OF SUPERVISORS

CC

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 9, 1994	May 16, 1994
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley
	Absent: Supervisors Conroy Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No. 45-94-21

MAY 27 1994
Date Approved

Mayor

FILE NO. 45-94-22

ORDINANCE NO. 202-94

RO #93282

(SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR FORTY THOUSAND ($40,000) DOLLARS.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "TROY SMITH V. CITY AND COUNTY OF SAN FRANCISCO, SAN FRANCISCO SUPERIOR COURT NO. 855-197 AND TROY SMITH V. SHERIFF MICHAEL HENNESSEY, U.S.D.C. C92-2444 WHO BY THE PAYMENT OF $40,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

SHERIFF'S DEPARTMENT

SHERIFF MICHAEL HENNESSEY

FUNDS AVAILABLE:

CONTROLLER

01 001 97 09 06 309740 1450 $20,000
01 001 97 09 38 309781 " $20,000

APR 11 1994

APPROVED:

POLICE COMMISSION

SECRETARY

ANTHONY RIBERA, POLICE CHIEF

6290N

BOARD OF SUPERVISORS

CC

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 9, 1994	May 16, 1994
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley
	Absent: Supervisors Conroy Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No. 45-94-22

MAY 27 1994
Date Approved

Mayor

CC

FILE NO. 45-94-23 ORDINANCE NO. 203-94

RO #93287

(SETTLEMENT OF LAWSUIT)

AUTHORIZATION SETTLEMENT OF LITIGATION OF KY SAM HA, et al. AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $8,000.00.

Be it orgained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "KY SAM HA, et al. v. CITY AND COUNTY OF SAN FRANCISCO, et al.", Superior Court No. 932-805, by the payment of $8,000.00

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

DEPARTMENT OF PUBLIC WORKS

JOHN E. CRIBBS
Director

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 90
309674 1450 $8,000.00

APR 13 1994

APPROVED:

RUDOLF NOTHENBERG
Chief Administrative Officer

BOARD OF SUPERVISORS

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Board of Supervisors, San Francisco

Passed for Second Reading

May 9, 1994

Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley

Finally Passed

May 16, 1994

Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley

Absent: Supervisors Conroy Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No. 45-94-23

MAY 27 1994
Date Approved

Mayor

FILE NO. 45-94-24

ORDINANCE NO. 204-94

RO #93289

[SETTLEMENT OF LAWSUIT]
AUTHORIZING SETTLEMENT OF LITIGATION OF CHARLES WOODWORTH MARSH AND JACQUELINE POLLITT MARSH AGAINST JOSEPH M. LUTISAW; PACIFIC BELL; SOUTHERN PACIFIC LINE; NEIL WADELL AND THE CITY AND COUNTY OF SAN FRANCISCO FOR $10,000.00.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City and County of San Francisco is hereby authorized to settle the action entitled "CHARLES WOODWORTH MARSH AND JACQUELINE POLLITT MARSH V. JOSEPH M. LUTISAW; PACIFIC BELL; SOUTHERN PACIFIC LINE; NEIL WADELL AND THE CITY AND COUNTY OF SAN FRANCISCO," by the payment of $10,000.00.

APPROVED AS TO FORM
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:
DEPARTMENT OF PUBLIC WORKS

JOHN E. CRIBBS, Director

APPROVED:

Chief Administrative Officer

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller
01 001 97 09 90
309674 1450 $10,000.00

APR 13 1994

BOARD OF SUPERVISORS

CC

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JUN 13 1994
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Board of Supervisors, San Francisco

Passed for Second Reading

May 9, 1994

Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley

Finally Passed

May 16, 1994

Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley

Absent: Supervisors Conroy Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No.
45-94-24

MAY 27 1994
Date Approved

Mayor

5/3/94 - As amended in Committee.

FILE NO. 65-94-9

ORDINANCE NO. 205-94

CC

[Sublease of Property]

AUTHORIZING AND APPROVING SUBLEASE OF CITY-OWNED PROPERTY AT 25 VAN NESS AVENUE, SUITE 710 (LOT 4, BLOCK 834) TO CARL WOLF, Attorney at Law, commencing retroactively to May 1, 1994.

5/3/94 jlb

Be It Ordained by the People of the City and County of San Francisco:

Section 1. In accordance with the recommendation of the Director of Property, the Mayor and the Clerk of the Board of Supervisors, on behalf of the City and County of San Francisco, a municipal corporation, as Sublessor, are hereby authorized and directed to execute a two-year sublease commencing retroactively to May 1, 1994, with Carl Wolf, Attorney at Law, for rental space located in Suite 710, 25 Van Ness Avenue, to be used as a Law Office.

3/3/94 jlb

Section 2. The Director of Property is hereby authorized and directed to prepare said sublease subject to the terms and conditions on file with the Clerk of the Board of Supervisors and with approval as to form by the City Attorney.

RECOMMENDED:

Director of Property

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By Deputy City Attorney

C:\WP51\DATA\BB\LD\WOLF.LEO

(Real Estate)

BOARD OF SUPERVISORS

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 9, 1994	May 16, 1994
Ayes: Supervisors Alioto Bierman Conroy Hallinan Kaufman Kennedy Leal Migden Shelley	Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley
Absent: Supervisors Hsieh Maher	Absent: Supervisors Conroy Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No. 65-94-9

MAY 27 1994
Date Approved

Mayor

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[General Grant Levels]

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 20.57 (GENERAL ASSISTANCE ORDINANCE) RELATING TO THE COMPUTATION OF AID GRANTS.

Note: Additions are underlined; deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Adminstrative Code is hereby amended by amending sections 20.57 thereof to read as follows:

SECTION 20.57. COMPUTATION AND PAYMENT OF AID GRANTS; AMOUNTS PAYABLE.

(a) For each eligible individual or for each eligible family of two or more persons who qualify for aid under the General Assistance Program, the maximum monthly amount of aid to which such recipients are entitled is listed below.

MAXIMUM GENERAL ASSISTANCE GRANT AMOUNT

Single Individual	$345
Number of Eligible Person in Same Family	
2 Persons	$567

3 Persons	$703
4 Persons	$834
5 Persons	$952
6 Persons	$1070
7 Persons	$1175
8 Persons	$1281
9 Persons	$1388
10 Persons	$1508

In the case of more than 10 persons in a family budget unit, an additional $25 each month shall be paid for each additional person in the family budget unit. For the purpose of this section, a family is defined as a group of persons living together who are related by the first degree of consanguinity.

(b) With respect to all recipients, initial aid payments shall be conditional upon completion of the Department orientation and evaluation program. In addition, with respect to each employable recipient, continuing aid shall be conditioned, at the option of the Department, upon either completion of 20 verifiable job applications per month and/or participation in a Department approved job counseling, vocational rehabilitation, drug or alcohol treatment or work assignment program. In addition, with respect to each unemployable recipient, continuing aid shall be conditioned upon application in and pursuit of SSI/SSP benefits, if eligible, and participation in a Department approved rehabilitation program. Aid may be withheld, reduced, or discontinued for failure to meet these requirements.

(c) The Maximum General Assistance Grant may include a Municipal Railway Fast Pass or tokens as an in-kind grant, in which event the cost of the Municipal Railway Fast Pass or tokens to the Department of Social Services shall be deducted from the Maximum General Assistance Grant Amounts listed above to arrive at the Maximum Cash General Assistance Grant Amount which may be issued by means of warrants, vouchers or checks. The Municipal Railway Fast Pass or tokens shall be for the sole use of the recipient.

(d) The Maximum General Assistance Grant Amounts listed in Section 20.57(a) of this ordinance shall be adjusted automatically each July 1st beginning July 1, 1981, by the annual percentage cost of living increase or decrease to the Minimum Basic Standard of Adequate Care adopted by the California State Legislature in the Aid to Families with Dependent Children Program.

(e) The maximum monthly amount of aid for which an applicant is eligible shall be the Maximum General Assistance Grant Amount prorated as of the eligibility determination date, less any cash available to the applicant during that calendar month, and less the fair market value of any nonexempt personal property available to the applicant during that calendar month. Rent, retroactive to the first of the month in which eligibility was determined, may be authorized to prevent eviction from existing housing.

(f) The maximum monthly amount of aid for which a recipient is eligible shall be the Maximum General Assistance Grant Amount, or the amount determined pursuant to Section (b) less any cash received

from sources other than General Assistance which is or will be available to the recipient during the month for which aid is paid, and less the fair market value of any nonexempt personal property which is or will be available to the recipient during the month for which aid is paid.

(g) No grant shall be issued for less than $5.

(h) To promote the transition of General Assistance recipients to gainful employment, the General Manager of the Department of Social Services may establish an Income and Asset Disregard Program for recipients who are employed. The Income and Asset Disregard Program shall provide for disregarding a certain amount of gross income which a recipient earns as wages and savings derived therefrom when determining a recipient's General Assistance Program eligibility and grant amount. The total amount of gross income disregarded shall not exceed the sum of the following amounts: (1) all of the first one hundred dollars ($100.00) of recipient gross wage earnings; (2) two thirds (2/3) of the second one hundred dollars (100.00) of recipient gross wage earnings; (3) one half (1/2) of the third one hundred dollars ($100.00) of recipient gross wage earnings; (4) one third (1/3) of the fourth one hundred dollars ($100.00) of recipient gross wage earnings, and; (5) one fifth (1/5) of the fifth one hundred dollars ($100.00) of recipient gross wage earnings. All recipient gross wage earnings above five hundred dollars ($500.00) shall be offset on a dollar for dollar basis against the grant amount to which a recipient would otherwise be

entitled. In addition, for recipients participating in this program up to fifteen hundred dollars ($1,500.00) of recipient savings derived from the recipient's gross wage earnings shall be disregarded during the recipient's participation in this program and for up to three months thereafter. Also, if as a result of retrospective budgeting a recipient's total currently available financial resources in a month including his or her adjusted General Assistance grant, wages, and savings are less than the maximum General Assistance grant amount, the recipient shall be eligible for a grant supplement in the form of a rental expense voucher for unpaid rend in that month and up to $50 in cash so that the recipient's currently available financial resources may total up to the maximum General Assistance grant amount. This grant supplement is available a maximum of three times per year for program participants and is not available to recipients who quit a job without good cause.

Recipient gross wage earnings are defined for purposes of this section as any income received by the recipient as payment for a recipient's labor. This section supercedes the provisions of Subsection 20.55.2(m), Section 20.56.6, Subsections 20.56.10(a) and (b), Subsections 20.57 (e) and (f), and Subsections 20.59.10(d), (e) and (f) when determining recipient eligibility and when calculating the maximum monthly amount of aid for program participants. All other recipient income and assets shall continue to be offset on a dollar for dollar basis when calculating the grant amount to which a

recipient is otherwise eligible. For recipients participating in this program, General Assistance eligibility shall be determined on a monthly basis and a recipient's grant amount shall be adjusted for gross wage earnings on the basis of retrospective budgeting in the month following the recipient's receipt of wage income. Verified expenses which exceed the total sum of a participant's grant, wages, and savings in any given month create a rebuttable presumption of ineligibility for aid.

Every twelve months, commencing June 1, 1994, and ending June 1, 1996, the General Manager shall report to the Board of Supervisors and to the Mayor the progress and results of the program to date.

(i) The automatic adjustment provisions of subsection (d) are hereby suspended for fiscal year ((1993-94)) 1994-95. Adjustments for subsequent fiscal years made pursuant to this section shall not include any adjustments for any fiscal year in which the cost of living was suspended.

APPROVED AS TO FORM:

LOUISE H. RENNE, CITY ATTORNEY

By: Vicquez Dini Elizondo
DEPUTY CITY ATTORNEY

2593H/mm

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
May 9, 1994	§	May 16, 1994
	§	
	§	
Ayes: Supervisors Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden	§	Ayes: Supervisors Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden
	§	
	§	
Noes: Supervisors Alioto Shelley	§	Noes: Supervisor Alioto
	§	
	§	Absent: Supervisors Conroy Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean L. Lum
Acting Clerk

File No.
97-94-18

MAY 27 1994
Date Approved

Frank M. Jordan
Mayor

As amended in committee
May 2, 1994.

FILE NO. 101-93-113

ORDINANCE NO. 207-94

(Government Funding)

RO#93292
SA#145

mlr 5/4

APPROPRIATING AND RESCINDING $5,422,479 OF 1990 EARTHQUAKE SAFETY BOND MONIES TO TRANSFER FUNDS FROM VARIOUS CAPITAL IMPROVEMENT PROJECTS TO PERFORMING ARTS BUILDING PROJECT (CIVIC AUDITORIUM SEISMIC UPGRADE) FOR THE DEPARTMENT OF PUBLIC WORKS FOR FISCAL YEAR 1993-94; placing $1,604,303 on reserve.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1993-1994 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
05-615	**1990 Earthquake Safety Bond**		
90-02-00	Department of Public Works - Architecture		
Project 100-01	Various Building Facilities Improvements		
20-2030 (772194)	Capital Improvement Project	$5,422,479	
Project 600-01	Performing Arts Building		
20-2030 (772194)	Capital Improvement Project		$5,422,479
	Total	$5,422,479	$5,422,479

mlr 5/4

Section 2. Funds in the amount of $1,604,303 are hereby placed on reserve for the Brooks Hall Exit Stairs Project, pending selection of contractor, submission of budget details and the MBE/WBE status of contractor, to be released by the Budget Committee.

APPROVED AS TO FORM
LOUISE H. RENNE CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

_____
CONTROLLER

CC

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Board of Supervisors, San Francisco

Passed for Second Reading
May 9, 1994
Ayes: Supervisors Alioto Bierman Conroy Hallinan Kaufman Kennedy Leal Migden Shelley
Absent: Supervisors Hsieh Maher

Finally Passed
May 16, 1994
Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley
Absent: Supervisors Conroy Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Lum
Acting Clerk

File No. 101-93-113

MAY 27 1994
Date Approved

Frank M. Jordan
Mayor

FILE NO. 170-94-6 ORDINANCE NO. 208-94

[Citywide Radio System Lease]

PROVIDING FOR THE APPROVAL AND EXECUTION AND DELIVERY BY OFFICERS OF THE CITY AND COUNTY OF SAN FRANCISCO OF A MASTER LEASE AGREEMENT AND A FIRST LEASE SUPPLEMENT, EACH BETWEEN THE CITY AND COUNTY OF SAN FRANCISCO FINANCE CORPORATION, AS LESSOR, AND THE CITY AND COUNTY OF SAN FRANCISCO, AS LESSEE FOR THE LEASE-FINANCING OF THE FIRST PHASE OF THE CITYWIDE 800 MHz TRUNKING RADIO SYSTEM; PROVIDING FOR THE APPROVAL AND EXECUTION OF AN AGENCY AGREEMENT BETWEEN THE CITY AND COUNTY OF SAN FRANCISCO FINANCE CORPORATION AND THE CITY AND COUNTY OF SAN FRANCISCO WITH RESPECT TO THE CITYWIDE RADIO SYSTEM TO BE USED FOR CITY PURPOSES; APPROVING THE ISSUANCE OF LEASE REVENUE BONDS BY THE CORPORATION; PROVIDING FOR THE EXECUTION OF OTHER DOCUMENTS RELATED TO THE ACTIONS AUTHORIZED BY THE BOARD; AND RATIFYING RELATED ACTIONS PREVIOUSLY TAKEN.

WHEREAS, On November 2, 1993, the voters of the City and County of San Francisco have approved the lease financing of a citywide radio system through the issuance of lease revenue bonds in an aggregate principal amount not to exceed $50,000,000; and

WHEREAS, The City and County of San Francisco Finance Corporation (the "Corporation"), a California nonprofit public benefit corporation, has been formed, among other purposes, to facilitate the lease financing of equipment and other improvements for the City and County of San Francisco (the "City"); and

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WHEREAS, The Board of Supervisors of the City and County of San Francisco (the "Board") proposes to enter into a master lease agreement (the "Master Lease") with the Corporation to provide for the acquisition, construction and installation of equipment and related improvements for a citywide 800 MHz trunking radio system (the "Project") to be used for City purposes and the leasing of the Project to the City and for the transfer to the Corporation and the leasing to the City of certain related equipment; and

WHEREAS, The Board has determined to enter into the First Lease Supplement (1994 First Series Bonds) to provide for the first phase of the acquisition, construction and installation of the Project (the "Phase One") and the leasing of Phase One to the City; and

WHEREAS, The Corporation proposes to issue lease revenue bonds secured primarily by base rentals to be paid by the City and County of San Francisco (the "City") under the Master Lease as modified by said First Lease Supplement (1994 First Series Bonds) (collectively, the "Lease");

BE IT ORDAINED BY THE PEOPLE OF THE CITY AND COUNTY OF SAN FRANCISCO:

Section 1. Approval of Lease Documents. In accordance with the recommendation of the Chief Administrative Officer of the City, the forms of the Master Lease and the First Lease Supplement (1994 First Series Bonds), each by and between the

material relating to the Bonds and certificates or other documents evidencing the transfer of the existing equipment to the Corporation, as they may deem necessary or desirable to facilitate the execution and delivery by the City of the Agreement and the Lease and the consummation of the financing contemplated thereby, and to otherwise carry out the provisions of this ordinance.

Section 6. Ratification. All actions authorized and directed by this ordinance and heretofore taken are hereby ratified, approved and confirmed by this Board of Supervisors.

APPROVED AS TO FORM:

LOUISE H. RENNE
CITY ATTORNEY

By: _____
Victor L. Castillo
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
May 9, 1994	§	May 16, 1994
Ayes: Supervisors Alioto Bierman Conroy Hallinan Kaufman Kennedy Leal Migden Shelley	§	Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley
Absent: Supervisors Hsieh Maher	§	Absent: Supervisors Conroy Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Acting Clerk

File No.
170-94-6

MAY 27 1994
Date Approved

_____
Mayor

FILE NO. 97-94-4 ORDINANCE NO. 209-94

(MEDICAL AND LABORATORY SERVICES)

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY REPEALING SECTION 19.A.11 THEREOF, WHICH AUTHORIZES THE HEALTH COMMISSION AND THE PURCHASER TO ENTER INTO AN AGREEMENT WITH THE UNIVERSITY OF CALIFORNIA FOR THE PROVISION OF MEDICAL AND LABORATORY SERVICES AT SAN FRANCISCO GENERAL HOSPITAL BEGINNING JULY 1, 1959.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by repealing Section 19.A.11 thereof.

RECOMMENDED:

Executive Director
San Francisco General Hospital

Florence Stroud
Director of Public Health

Sandy Ouye Mori
San Francisco Health Commission

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Kathleen Murphy
Deputy City Attorney

BOARD OF SUPERVISORS

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
May 9, 1994	§	May 16, 1994
Ayes: Supervisors Alioto Bierman Conroy Kaufman Kennedy Leal Migden Shelley	§	Ayes: Supervisors Alioto Bierman Hsieh Kaufman Kennedy Leal Migden Shelley
Noes: Supervisor Hallinan	§	Noes: Supervisor Hallinan
Absent: Supervisors Hsieh Maher	§	Absent: Supervisors Conroy Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Lum
Acting Clerk

File No.
97-94-4

MAY 27 1994
Date Approved

Frank M. Jordan
Mayor

4/5/94 - Amendment of the Whole.

FILE NO. 172-94-3 ORDINANCE NO. 210-94

(Affiliation Agreement)

AUTHORIZING THE DIRECTOR OF PUBLIC HEALTH AND THE PURCHASER TO EXECUTE AN AFFILIATION AGREEMENT BETWEEN THE CITY AND COUNTY OF SAN FRANCISCO AND THE REGENTS OF THE UNIVERSITY OF CALIFORNIA FOR THE PROVISION OF PATIENT CARE SERVICES AT SAN FRANCISCO GENERAL HOSPITAL.

Be it ordained by the People of the City and County of San Francisco:

SECTION 1. The Board of Supervisors hereby finds as follows:

a. The affiliation between the City and County of San Francisco and the University of California is over 100 years old;

b. The purchase of services by the City and County of San Francisco from the University of California has become an essential component of the public health and the public health system for the residents of San Francisco;

c. The missions of the Department of Public Health and the University of California are complementary and it is within their best interest to fulfill their respective mission through an affiliation;

d. The San Francisco Department of Public Health and the University of California desire to continue to develop this partnership in a way that is mutually beneficial to both parties, that is focused on efficient management and the provision of a level and quality of care that would not otherwise be possible, that maximizes third party reimbursement, and that holds the parties accountable to one another and to the public at large

SECTION 2. The Board of Supervisors hereby authorizes the Director of Public Health and the Purchaser, on behalf of the City and County of San Francisco, to execute an Affiliation Agreement with the University of California, San Francisco, contained in Board of Supervisors File No. 172-94-3.

SECTION 3. Chapter 12D of the San Francisco Administrative Code, and Chapter 12B of the San Francisco Administrative Code insofar as the provisions of Chapter 12B gives the Human Rights Commission jurisdiction over the University of California, shall not apply to the Affiliation Agreement or to the procedures governing its approval.

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APPROVED AS TO FORM:
LOUISE H. RENNE
City Attorney

By: Pauline R. Lakey
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
May 9, 1994	$	May 16, 1994
	$	
	$	
Ayes: Supervisors Alioto Bierman Conroy Kaufman Kennedy Leal Migden Shelley	$	Ayes: Supervisors Alioto Bierman Hsieh Kaufman Kennedy Leal Migden Shelley
	$	
Noes: Supervisor Hallinan	$	Noes: Supervisor Hallinan
	$	
Absent: Supervisors Hsieh Maher	$	Absent: Supervisors Conroy Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Lum
Acting Clerk

File No.
172-94-3

MAY 27 1994
Date Approved

Mayor

Amendment of the Whole
May 18, 1994.

FILE NO. 124-94-6 ORDINANCE NO. 211-94

(Parking and Traffic)

AMENDING PART II, CHAPTER XI, OF THE SAN FRANCISCO MUNICIPAL CODE (TRAFFIC CODE) BY (1) REPEALING SECTION 213 THEREOF, RELATING TO THE ESTABLISHMENT, PURPOSE AND USE OF THE OFF-STREET PARKING FUND, AND (2) ADDING A NEW SECTION 213 THEREOF, RELATING TO THE ESTABLISHMENT, PURPOSE AND USE OF A PARKING REVENUE FUND.

Note: Additions or substitutions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter XI, of the San Francisco Municipal Code (Traffic Code) is hereby amended by repealing Section 213 thereof, which reads as follows:

((SEC. 213 USE PARKING METER FUNDS -- CREATION OF OFF-STREET PARKING FUND. Coins deposited in parking meters shall be collected by the Director of Parking and Traffic and deposited in the Treasury of the City and County of San Francisco.))

((All moneys in excess of $1,500,000 so deposited during any fiscal year shall be credited to a special fund to be known as the "Off-Street Parking Fund," except that commencing with fiscal year 1987-88 all monies in excess of $3,000,000 so deposited shall be credited to said Off-Street Parking Fund, except that

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commencing with fiscal year 1988-89 all monies in excess of $6,000,000 so deposited shall be credited to said Off-Street Parking Fund, and except that in fiscal years 1992-93 and 1993-94 all monies in excess of $8,000,000 so deposited shall be credited to the Off-Street Parking Fund. All net revenues received from off-street City owned parking facilities leased by City to private operators, costs of which facilities were paid for them from the Off-Street Parking Fund, and those facilities listed in Subsection (a) below, limited to the period provided in that Subsection (a), also shall be credited to such Off-Street Parking Fund irrespective of whether such facilities are operated with or without meters.))

((Subject to the restrictions provided in this Section and any prior legally binding obligations, said special fund is hereby created for the purpose of financing the San Francisco Off-Street Parking Program, including, but not limited to, capital outlays expenditures for the acquiring, constructing, completing and leasing of public parking lots, storage space, garages, single- or multi-level structures, and other off-street parking facilities on, under, or above the surface of any property, including public parks, squares, lands, easements or rights-of-way to be acquired by purchase or condemnation, together with buildings, structures, equipment, approach roads, entrances, exits, fencing, off-street parking meters, and other works, property or structures for the accommodation of automotive

vehicles, and necessary or convenient for adequate parking facilities to relieve congestion, facilitate, regulate and control traffic within the City and County of San Francisco. Said special fund may also be used to finance the cost of engineering and construction of on-street parking bays in parking meter districts in neighborhood commercial districts, by sidewalk narrowing after the appropriate legislation has been approved by the Board of Supervisors.))

((In the accomplishment of the said purpose, the use of said monies deposited in said special fund shall be restricted to:))

(((a) All net revenues received by the City from the operation of the Sutter-Stockton Garage from fiscal years 1985-86 through 1989-90 inclusive, the St. Mary's Garage except for that portion dedicated to the Recreation and Park Department, Seventh and Harrison Parking Plaza and the Marshall Square Parking Plaza, shall be dedicated to the financing of public off-street parking facilities in or near neighborhood commercial districts, except that such revenues may further be used to reimburse accounts which have advanced funds for purposes of financing public off-street parking facilities in or near neighborhood commercial districts;)))

(((b) All net revenues received from public off-street parking facilities financed pursuant to Subsection (a) above, shall be dedicated to the maintenance of existing and the

financing of new public off-street parking facilities in or near neighborhood commercial districts;))

(((c) The payment of the costs of engineering and related studies and surveys;)).

(((d) The payment of the costs, operation and maintenance of parking facilities and related structures hereafter acquired or constructed as aforesaid, including the payment of possessory interest taxes required by any agreement authorized by the Board of Supervisors;))

(((e) The sole pledge for the servicing of past or future indebtedness incurred by the issuance of bonds or other instruments by or on behalf of the City and County of San Francisco for the acquisition, construction and completion of off-street parking facilities;))

(((f) The sole additional pledge augmenting a pledge of revenue from off-street parking facilities for the servicing of past or future indebtedness incurred by the issuance of revenue bonds or other revenue instruments by or on behalf of the City and County of San Francisco for the acquisition, construction and completion of off-street parking facilities;))

(((g) Payment of the cost of engineering and construction of on-street parking bays in commercial and residential-commercial combined districts and in parking meter districts in neighborhood shopping districts by sidewalk narrowing and necessary related

activities after any appropriate legislation has been approved by the Board of Supervisors;))

(((h) Administrative and operating expenses of Department of Parking and Traffic, the Parking and Traffic Commission and the Parking Authority of the City and County of San Francisco;))

(((i) Payment to the General Fund, for traffic regulation and control, of amounts remaining in said special fund after making provision for the requirements under (a), (b), (c), (d), (e), (f), (g) and (h) hereof.))

((The monies in said special fund shall be set aside for the aforesaid purposes upon recommendation by the Parking and Traffic Commission of the City and County of San Francisco and appropriation thereof by the Board of Supervisors pursuant to the budget and fiscal provisions of the Charter.))

Section 2. Part II, Chapter XI, of the San Francisco Municipal Code (Traffic Code) is hereby amended by adding Section 213 thereof, to read as follows:

SEC. 213 USE OF PARKING METER AND GARAGE REVENUE -- ESTABLISHMENT OF PARKING REVENUE FUND. (a) **Establishment and Purpose of Fund.** There is hereby established a special fund in the Treasury of the City and County of San Francisco to be known as the Parking Revenue Fund (referred to hereafter as the "Fund"). Subject to the restrictions provided in this Section,

the Fund is hereby established for the purpose of financing the San Francisco off-street parking program and other parking-related projects, including without limitation, (i) capital expenditures for acquisition, construction, completion or leasing of public parking lots, storage space, garages, single- or multi-level structures, and other off-street parking facilities on, under, or above the surface of any property, including public parks, squares, lands, easements or rights-of-way acquired or to be acquired by purchase, lease or condemnation, together with buildings, structures, equipment, approach roads, entrances, exits, fencing, off-street parking meters, and other works, property or structures for the accommodation of automotive vehicles, and necessary or convenient for parking facilities to relieve congestion and facilitate, regulate and control traffic within the City and County of San Francisco; (ii) the payment of the costs of engineering and related studies and surveys; (iii) the payment of the costs, operation and maintenance of parking facilities and related structures hereafter acquired or constructed, including the payment of possessory interest taxes required by any agreement authorized by the Board of Supervisors; (iv) the sole pledge for the servicing of past or future indebtedness incurred by the issuance of bonds or other instruments by or on behalf of the City and County of San Francisco for the acquisition, construction and completion of off-street parking facilities;

(v) the sole additional pledge augmenting a pledge of revenue from off-street parking facilities for the servicing of past or future indebtedness incurred by the issuance of revenue bonds or other revenue instruments by or on behalf of the City and County of San Francisco for the acquisition, construction and completion of off-street parking facilities; payment of the costs of engineering and construction of on-street parking bays in parking meter districts within neighborhood commercial districts by sidewalk narrowing after adoption of appropriate legislation by the Board of Supervisors; (vi) payment of the administrative and operating expenses of the Department of Parking and Traffic, the Parking and Traffic Commission and the Parking Authority of the City and County of San Francisco; (vii) payment to the General Fund, for traffic regulation and control, of amounts remaining in said special fund after making provision for the requirements under (i) through (vi) above.

(b) **Deposit of Monies Into the Fund; Segregated Accounts Within Fund.** (i) Monies collected by the Department of Parking and Traffic from on-street parking meters ("Parking Meter Revenue") shall be deposited into the Treasury of the City and County of San Francisco and credited to the Fund in a segregated account known as the "Parking Meter Revenue Account". (ii) All net revenue received from the operation of off-street parking facilities owned or leased by the City or the Parking Authority of the City and County of San Francisco, the purchase or

construction of which was financed in whole or in part from the Fund or the Off-Street Parking Fund pursuant to this Section, and those net revenues received from the operation of off-street, metered parking facilities owned by the City and County of San Francisco, shall be collected by the Department of Parking and Traffic, deposited into the Treasury of the City and County of San Francisco and credited to the Fund in a segregated account known as the "Off-Street Parking Revenue Account". To the extent practicable, all net revenues from off-street parking facilities (including surface parking) operated on City-owned property shall be credited to the Off-Street Parking Revenue Account.

(c) **Use of Monies in Parking Meter Revenue Account.** The use of monies deposited into the Parking Meter Revenue Account pursuant to subsection (b)(i) of this Section, and any and all interest earned thereon, shall be expended, **First**, for the payment in any fiscal year of all principal, interest, premium and all other payments required pursuant to any documents authorizing any indebtedness or obligations issued or created by, or on behalf of, the City and County of San Francisco or the San Francisco Parking Authority in connection with the financing of the construction, acquisition and/or equipping of any off-street parking facilities; **Second**, to the General Fund of the Treasury of the City and County of San Francisco the amount of $1,500,000, to the extent available in any fiscal year from Parking Meter Revenue (except that commencing with fiscal year 1987-88 such

amount shall be $3,000,000, and except that commencing with fiscal year 1988-89 such amount shall be $6,000,000, and except that in fiscal years 1992-93 and 1993-94 such amount shall be $8,000,000); and Third, for the purposes described in subsection (a) of this Section, if and to the extent available.

(d) Use of Monies in Off-Street Parking Revenue Account. The monies deposited into the Off-Street Parking Revenue Account pursuant to subsection (b)(ii) of this Section, and any and all interest earned thereon, shall be expended for the purposes set forth in subsection (a) of this Section, in any order of priority.

(e) Definitions. When used in this Section, the term "net revenues" shall mean, with respect to each facility, all income, revenue, interest earnings and other money of every nature arising out of or in connection with or derived from the ownership, operation or leasing of such facility in such fiscal year less maintenance and operation costs of such facility. The term "maintenance and operation costs" shall mean, with respect to each facility, the reasonable and necessary costs of operation and maintenance, calculated on sound accounting principles, including (among other things) salaries and wages, fees for services, costs of materials, supplies and fuel, reasonable expenses of management, legal fees, accounting fees, repairs and other expenses necessary to maintain and preserve the facility in good repair and working order, and reasonable amounts for

administration, overhead, insurance, taxes (if any), and other similar costs, but excluding in all cases (i) depreciation and obsolescence charges or reserves therefor, (ii) amortization of intangibles premiums, discounts, or other bookkeeping entries of a similar nature, (iii) costs of capital additions, replacements, betterments, extensions or improvements to the facility, which under generally accepted accounting principles are chargeable to a capital account or to a reserve for depreciation, and (iv) amounts paid from sources other than the Fund.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: _____
Deputy City Attorney

RECOMMENDED:

_____
JOHN E. NEWDIN
Director,
Department of Parking
and Traffic

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
May 23, 1994	§	May 31, 1994
	§	
	§	
Ayes: Supervisors Alioto Bierman	§	Ayes: Supervisors Alioto Bierman
Hallinan Hsieh Kaufman Kennedy	§	Hallinan Hsieh Kaufman Kennedy
Leal Maher Migden Shelley	§	Leal Maher Shelley
	§	
Absent: Supervisor Conroy	§	Absent: Supervisors Conroy Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Lam
Acting Clerk

File No.
124-94-6

JUN 1 1994
Date Approved

Mayor

FILE NO. 115-94-4 ORDINANCE NO. 212-94

(PLANNING FEES)

AMENDING ARTICLE 2, ARTICLE 3.5A AND ARTICLE 9 OF THE SAN FRANCISCO MUNICIPAL CODE (CITY PLANNING CODE) TO IMPOSE NEW FEES, CHANGE THE AMOUNT OF FEES CURRENTLY CHARGED RELATING TO DEPARTMENT OF CITY PLANNING ACTIONS, ACTIVITIES AND SERVICES

NOTE: Additions are <u>underlined</u>: deletions are in

((double parentheses)).

Be it ordained by the people of the City and county of San Francisco:

Section 1, Part II, Chapter 2, Article 2, Section 205 of the San Francisco Municipal Code is hereby amended to read as follows:

SEC. 205. TEMPORARY USES, GENERAL. (a) The temporary uses listed in Sections 205.1 through 205.3, where not otherwise permitted in the district, may be authorized as provided herein, up to the time limits indicated. Further time for such uses may be authorized only by action upon a new application, subject to all the requirements for the original application, unless otherwise indicated in Sections 205.1 through 205.3.

(b) Action upon such uses shall be by the City Planning Commission, subject to all the requirements for conditional uses in Sections 303 and 306 through 306.5 of this Code; except that uses listed in Section 205.1, uses listed in Section 205.2 if located in a C or M District, and uses listed in Section 205.3 within the South of Market districts, may be authorized by the Zoning Administrator without a public hearing ((and without a fee being charged)).

(c) Wherever a use exists at the effective date of this Code or of an amendment thereto under which such use is classified as a temporary use, or wherever a use is being conducted under a temporary use authorization given prior to such a date, such use may be continued for the maximum term specified therefor, calculated from said effective date or date of authorization. No such use shall continue thereafter unless a temporary use authorization shall have been sought and obtained under a new application. Continuance of a temporary use beyond the date of expiration of the period authorized therefor, or failure to remove a structure for such temporary use within 10 days thereafter, shall constitute a violation of this Code.

Section 2. Part II, Chapter 2, Article 3.5A of the San Francisco Municipal Code is hereby amended to read as follows:

ARTICLE 3.5A

DOCUMENTS DEPT.
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Sec. 350. FEES, GENERAL. Fee shall be imposed in order to compensate the Department of City Planning for the cost of processing permit applications for the establishment, abolition or modification of a setback line, for signs, demolition, reclassification of property, conditional use authorization, granting of an exemption, variance, or coastal zone permit; reviewing permit applications filed in and issued by other City departments, institutional master plans, Master Plan amendments and referrals, projects which require review under Section 295 of this Code (park shadow ordinance) and permits requiring additional review by nature of their location within the C-3 District, projects requiring special review pursuant to Section 306.7; providing transportation review associated with project applications, providing policy and code review and interpretation, Zoning Administrator written determinations pursuant to Section 307 (a), zoning certifications, research, document retrieval and technical reports, City Planning Commission agendas, notification of project applications, computer acquisition, hazardous waste facilities review; collection of fees that are in arrears, collection of delinquent accounts. Fees shall be charged and collected as indicated for each class of application, permit, filing request or activity listed in Sections 351 through 358 below.

(a) Estimated Construction Costs are as defined by the San Francisco Building Code.

(b) All fees are payable at time of filing application or request, except where noted otherwise.

(c) Refunds - When an application is (1) either withdrawn by the applicant, or deemed cancelled by the Department of City Planning due to inactivity on the part of the applicant, and (2) the Zoning Administrator determines that no substantial costs have been incurred by the Department in acting on the application (for example, little time has been expended beyond initial scoping meetings), then the applicant shall be entitled to a refund of 75 percent of the fee paid to the Department.

(d) Reduced Fee

(1) Any fraternal, charitable, benevolent or any other 26 non-profit organization, which organization is exempt from taxation under the Internal Revenue laws of the United States and the Revenue and Taxation Code of the State of California as a bona fide fraternal, charitable, benevolent or other non-profit organization, shall pay 75% of the <u>base</u> fees specified in Sec. 352 (a), (g), (h), (i), (j), <u>plus 100% of time and materials for any cost beyond the base fee paid</u> ((at the time of issuance of the building permit)), as long as the fees are paid <u>(1)</u> before <u>final Department of City Planning approval of the building permit, preparatory to issuance of the building permit, before</u> the building permit is

released to the applicant, or (2) within one year of the date of action on the application, whichever comes first; provided that the application is for the development of residential units all of which are affordable to low and moderate income households, as defined in the Guidelines of the United States Housing and Urban Development Department, for a period of 20 years, which exemption shall apply notwithstanding the inclusion in the development of other non-profit ancillary or accessory uses. In the event that the Department of City Planning is provided information establishing that the City and County of San Francisco is contributing 50% or more of the financing for the project, but less than 5%, the fees paid by these non- profit organizations for such affordable housing developments shall be 50% of the specified fees, and provided further, if the Department determines that the City and County of San Francisco is contributing 75% or more of the financing for the project, the fee shall be waived. For the purposes of this paragraph, funds received by the City and County of San Francisco as entitlement under Federal or State Programs and San Francisco Redevelopment Agency funds shall be considered

contributions of the City and County of San Francisco.

(2) An exemption from paying the full fees specified under Section 352(b) may be granted when the requestor's income is not enough to pay for the fee without affecting their abilities to pay for the necessities of life, provided that the person seeking the exemption demonstrates to the Zoning Administrator that they are substantially affected by the proposed project.

Sec. 351. ADMINISTRATIVE SERVICES.

(a) Agendas for Planning Commission - $15 annual subscription to cover costs of mailing. Planning Commission Secretary may authorize exemptions in those instances where costs would impose financial hardship.

(b) Certification of Copies - $25 per document.

(c) Document Retrieval-actual estimated costs for retrieval and return of files stored off-site per schedule prepared by Director of Planning. No charge is allowed for labor costs incurred in document retrieval, only out-of-pocket expenses paid by the Department.

(d) Information, Analysis, Report Preparation and Presentation Time and materials as set forth in an analysis and reporting schedule, based on the Department's estimated actual

costs for time and materials required to perform the work, prepared by the Director of Planning and approved by the City Planning Commission. The costs of report preparation may be amortized by factoring full cost recovery into the pricing of such information and reports.

(e) Late Charges and Collection of Overdue Accounts - A surcharge of one percent per month shall be added to the fee amount owing the Department for fee accounts in arrears more than 30 days. The Zoning Administrator may call upon other City agencies or duly licensed collection agencies for assistance in collecting delinquent accounts more than six month in arrears, in which case any additional costs of collection may be added to the fee amount outstanding. If the Department seeks the assistance of a duly licensed collection agency, the approval procedures of Administrative Code Article 5, Section 10.39-1 et. seq. will be applicable.

(f) Monitoring Projects. - Fee to be collected at the time of building permit issuance, by the Central Permit Bureau.

(1) Authorized projects under Sections 149, 163, 164, 165 and 321 - $5,000 per project.

(2) All approved applications in Section 352(a) and (j), 353 (a) and (b), and 355 - (($110)) $142 for two hours of staff time or portion thereof plus time and materials beyond first two hours' of staff time for monitoring conditions of approval established pursuant

to a public hearing by the City Planning Commission or Zoning Administrator; such time and materials includes resources provided by other departments or agencies as well as the Department of City Planning. For monitoring required subsequent to the time of permit issuance or where no permit is required, the fee will be charged and collected by the Department.

(g) Notices of Special Restrictions, review and approval, for recordation in Office of County Recorder - (($60)) $71.

(h) Policy and Code Review and Interpretation for prospective projects for which an application has not been filed - (($110)) $142 for two hours of staff time or fraction thereof plus time and materials beyond first two hours of staff time. Initial fee to be paid prior to meeting date.

(i) Project Notifications for an Individual or Organization Requesting Notification of Project Applications

(1) First Address or First Assessor's Block - $25 per annum.

(2) Additional Addresses - $10 for addresses in each new Assessor's Block thereafter, per annum.

(j) Research Services and Data Requests - (($27.50)) $36 minimum for first half hour of staff time or fraction there of, plus (($27.50)) $36 for each subsequent half hour of staff time.

(k) Zoning Administrator written determinations pursuant to Section 307(a) - (($55)) $71 minimum for first hour of staff time

or fraction thereof, plus ((~~$55~~)) $71 for each subsequent hour of staff time ((up to a maximum of $500)).

(1) Zoning Certifications.

(1) Single Family Residence - $50.

(2) Others Uses - ((~~$55~~)) $71 minimum for first hour of staff time or fraction thereof, plus ((~~$55~~)) $71 for each subsequent hour of staff time ((up to a maximum of $500)).

(m) Responding to Work Requests Requiring Overtime Work: An additional 50% above the normal fee.

Sec. 352. COMMISSION AND VARIANCE HEARING APPLICATIONS.

(a) Conditional Use (Sec. 303), Variance (Sec. 305) and Coastal Zone Permit (Sec. 330) Applications.

Estimated Construction Cost	Initial Fee
Less than $10,000	((~~$600~~)) $800
$10,000 to $999,999	((~~$750~~)) $1,000 plus ((~~.34%~~)) .46% of cost over $10,000
$1,000,000 to $4,999,999	((~~$4,121~~)) $5,516 plus ((~~.39%~~)) .55% of cost over $1,000,000
$5,000,000 to $9,999,999	((~~$19,889~~)) $27,670 plus ((~~.34%~~)) .46% of cost over $5,000,000

$10,000,000 to $29,999,999	((~~$36,912~~)) $50,476 plus ((~~.17%~~)) .24% of cost over $10,000,000
$30,000,000 to $49,999,999	((~~$71,795~~)) $99,346 plus ((~~.11%~~)) .15% of cost over $30,000,000
$50,000,000 to $99,999,999	((~~$93,297~~)) $128,668 plus ((~~.07%~~)) .1% of cost over $50,000,000
$100,000,000 or more	((~~$129,135~~)) $177,538 plus ((~~.02%~~)) .03% of cost over $100,000,000
No construction cost	((~~$750~~)) $1,000 plus time and materials in excess of fee paid

(1) Applications with verified violations of this Code - time and materials in excess of fee for renotification, investigation and research relating to processing applications, where the applicant has failed to respond fully, and within the time requested, to a notice of incomplete application citing the code violations with direction for their correction, not to exceed five times the amount of the initial fee.

(2) Where an applicant requests both a conditional use authorization and a variance, certificate of

appropriateness or a coastal zone permit review the amount of the ((conditional use)) variance, certificate of appropriateness or coastal zone permit initial fee shall be reduced by 50%; plus time and materials in excess of the fee paid.

(3) Minor project modifications requiring a public hearing to amend conditions of approval of a previously authorized project, not requiring a substantial reevaluation of the prior authorization - $750 plus time and materials in excess of fee paid.

(4) The applicant shall be charged for any time and materials beyond the fees paid in Sec. 352(a), not to exceed twice the amount of the initial fee.

(b) Discretionary Review Request - ((($75)) $125.

(c) Institutional Master Plan (Sec. 304.5).

(1) Full Institutional Master Plan or substantial revision - ((($5,500)) $8,400 for first 100 hours of staff time or portion thereof plus time and materials beyond first 100 staff hours.

(2) Abbreviated Institutional Master Plan - ((($550)) $840 for first ((five)) ten hours of staff time or fraction thereof plus time and materials beyond first 10 staff hours.

(d) Land Use Amendments and Related Plans and Diagrams of the San Francisco Master Plan - Fee based on the Department's estimated

actual costs for time and materials required to review and implement the requested amendment, according to a budget prepared by the Director of Planning, in consultation with the sponsor of the request.

(e) Master Plan Referrals (Sec. 101.1) - ((($110 for two hours of staff time or fraction thereof plus))T((t))ime and materials ((beyond first two hours of staff time)).

(1) Redevelopment Plan Review - the Director of Planning shall prepare a budget to cover actual time and materials expected to be incurred, in consultation with the Redevelopment Agency. A sum equal to one-half the expected cost will be submitted to the Department, prior to the commencement of the review. The remainder of the costs will be due at the time the initial payment is depleted.

(f) Neighborhood Commercial District Regulations, Extension of deadline for applications for compliance (Sec. 179).

(1) Building Permit - $1,545 in addition to fee under Sec. 355(a).

(2) Conditional Use Permit - $985 in addition to fee under Sec. 352(a).

(g) Planned Unit Development (Sec. 304) - same as fee schedule for conditional use (Sec. 352(a)) plus time and materials for any cost beyond the fee paid, not to exceed twice the amount of the initial fee.

(h) Reclassify property or impose interim zoning controls - $3,000 plus $600 per additional Assessor's Block or portion thereof.

(1) The applicant shall be charged for any time and materials beyond the fees established in Sec. 352 (h), not to exceed twice the amount of the initial fee.

(2) Applications with verified violations of this Code -time and materials in excess of fee for renotification, investigation and research relating to processing applications, where the applicant has failed to respond fully, and within the time requested, to a notice of incomplete application citing the code violations with direction for their correction, not to exceed five times the amount of the initial fee.

(i) Setback Line, establish, modify or abolish - $1500 for each affected block frontage or portion thereof.

(((j) Variances (Sec. 305).

Estimated Construction Cost	Fee
Less than $10,000	$1,000
$10,000 to $999,999	$1,000 + .46% of cost over $10,000
$1,000,000 to $4,999,999	$5,516 plus .55% of cost over $1,000,000
$5,000,000 to $9,999,999	$27,670 plus .46% of cost over $5,000,000

$10,000,000 to $29,999,999	$50,476 plus .24% of cost over $10,000,000
$30,000,000 to $49,999,999	$99,346 plus .15% of cost over $30,000,000
$50,000,000 to $99,999,999	$128,668 plus .1% of cost over $50,000,000
$100,000,000 or more	$177,538 plus .03% of cost over $100,000,000
No construction cost	$1,000 plus time and materials in excess of fee paid

(1) The applicant shall be charged for any time and materials beyond the fees established in Sec. 352 (j), not to exceed twice the amount of the initial fee.

(2) Applications with verified violations of this Code - time and materials in excess of fee for renotification, investigation and research relating to processing applications citing the code violations with direction for their correction, where the applicant has failed to respond fully, and within the time requested, to a notice of incomplete application, not to exceed five times the amount of the initial fee.

(3) Minor project modifications requiring a public hearing to amend conditions of approval of a previously authorized project, not requiring a substantial

reevaluation of the prior authorization - $750 plus time and materials in excess of fee paid.))

(i) Temporary Use Fees: $71 for first hour of staff time or fraction thereof plus time and materials for each subsequent hour of staff time; provided, however, that if the Zoning Administrator projects the cost will exceed $1,000, a budget shall be developed in consultation with the applicant for the work required to process the application.

(k) Hazardous Waste Facility Applications (California Health and Safety Code, Division 20, Chapter 6.5, Article 8.7, commencing with Section 25199).

(1) The fee shall equal the City's actual costs of processing the application in accordance with the California Health and Safety Code, which requires the City to comply with notification requirements; establish, convene and provide staff assistance to a local assessment committee; provide technical assistance grants to the local assessment committee; and present the City's position on the application to the Governor's appeal board in the event of an appeal.

(2) The applicant shall pay an initial fee equal to the estimated actual time and materials costs expected to be incurred in processing the application as required by the California Health and Safety Code and estimated

actual costs of technical assistance grants that the City expects to provide to the local assessment committee. The initial fee shall be itemized in a Hazardous Waste Facility Review Budget and Schedule ("Budget" and "Schedule") prepared by the Director of Planning, in consultation with the applicant, and approved by the City Planning Commission; provided, however, that if the estimated Schedule exceeds one year, then the estimated Budget shall be prepared for the initial twelve-month period only and the estimated Budget for any subsequent twelve-month time period shall be prepared prior to the end of the prior twelve-month period.

(3) The applicant shall pay the initial fee prior to filing the notice of intent required by the State, provided, however, that the Budget and Schedule may authorize payment of the initial fee in up to four equal increments payable periodically over the period of the Schedule, in which case the first installment shall be paid prior to filing the notice of intent.

(4) Where initial payment is insufficient to compensate the actual cost incurred, the Director of Planning shall charge the applicant an additional sum equal to such actual cost after first revising the Budget and Schedule

to reflect the additional cost and obtaining the approval of the City Planning Commission.

(5) Fees paid to the Department pursuant to this section shall be deposited with the Treasurer and held by the Controller and expended in accord with the hazardous Waste Review Budget approved pursuant to this Section.

(l) Amendments to Text of the Planning Code: $3,000 plus time and materials in excess of the fee paid.

(m) Determination of Compatibility with Design Guidelines Related to Bernal Heights (Sec. 242(e)6(B): $125.

Sec. 353. DOWNTOWN APPLICATIONS.

(a) Exception in C-3 District (Section 309) - 1/2 the fee for conditional use (Sec.352(a)).

(b) Modifications in C-3 District, Determination of Need (Section 309) - same as fee schedule for conditional use (Sec.352(a)).

(c) Office Development Limitation Projects (Section 320 through 323) - $15,000 per application.

(d) Transfer of Development Rights and Article II Designated Buildings.

(1) Significant or Contributory Building, designation or change of boundary - $670.

(2) Conservation District, designation or change of boundary - $670.

(3) Permit for alteration of a Significant or Contributory Building within a designated Conservation District, not deemed minor by the Zoning Administrator.

Estimated Construction Cost	Fee
Less than $1,000	$200
$1,000 to $9,999	$400
$10,000 to $999,999	$750 plus .34% over $10,000
$1,000,000 to $4,999,999	$4,155 plus .39% over $1,000,000
$5,000,000 to $9,999,999	$19,923 plus .34% over $5,000,000
$10,000,000 to $29,999,999	$36,946 plus .17% over $10,000,000
$30,000,000 to $49,999,999	$71,829 plus .11% over $30,000,000
$50,000,000 to $99,999,999	$93,332 plus .07% over $50,000,000
$100,000,000 or more	$129,170 plus .02% over $100,000,000
No construction cost	$400 plus time and materials in excess of fee paid

(4) Alteration of a Contributory Building located outside a Conservation District from which no TDR have been

transferred and no issuance of a permit pursuant to Sections IIII through IIII.6 - $25.

(5) Significant or Contributory Building Demolition - $670. This fee shall be in addition to any fee otherwise required for permits to alter or demolish. However, applications to demolish a Contributory Building located outside a Conservatory District from which no TDR have been transferred or a Category V Building in a conservation District from which no TDR have been transferred are subject only to the demolition fee contained in Sec. 355(6)(b).

(6) Statement of Eligibility - $500.

(7) Certificate of Transfer, Execution - $250.

(8) Certification of Transfer of TDR - $500.

Sec. 354. ENVIRONMENTAL REVIEW. SEE ADMINISTRATIVE CODE, SECTION 31.46A FOR FEES.

Sec. 355. PERMIT APPLICATIONS.

(a) Building Permit Applications for a new building, change in use or alter the exterior of an existing building to be collected by Central Permit Bureau.

Estimated Construction Cost	Fee
$500 or less	$90
$501 to $999	$90 plus 10% of cost over $500
$1000 to $1999	$140 plus 6% of cost over $1000
$2000 to $4999	$200 plus 3% of cost over $2000

$5000 to $9999	$290 plus 1% of cost over $5000
$10,000 to $199,999	$340 plus .2% of cost over $10,000
$200,000 to $4,999,999	$720 plus .17% of cost over $200,000
$5,000,000 to $9,999,999	$8870 plus .15% of cost over $5,000,000
$10,000,000 or more	$16,370 plus .14% of cost over $10,000,000
No construction cost	$190 plus time and materials in excess of fee paid

(1) Applications with verified violations of this Code - time and materials in excess of fee for renotification, investigation and research relating to processing applications, where the applicant has failed to respond fully, and within the time requested, to a notice of incomplete application citing the code violations with direction for their correction, not to exceed five times the amount of the initial fee.

(2) Back-Check Fee for Permit Revisions - (($55)) $71 an hour to be collected at time of permit issuance.

(3) Design Guidelines and Code-Complying Massing Recommendations, Site-Specific - (($110)) $168 plus time and materials beyond 2 hours, to be collected at time of permit issuance.

(4) C-3 (Downtown Commercial) District Notification Fee (Sec. 309) - additional $200.

(5) New Construction or Alteration Exceeding 40 Fee in Height (Section 295) - additional $200.

(6) Projects requiring review under special review procedures established by the City Planning Commission pursuant to interim legislation adopted as interim controls pursuant to Section 306.7, during the period of time such controls are in effect, including any extensions - $275.

(7) Site Permit applications, to be collected by Central Permit Bureau: Where construction cost is more than $350,000 or more than one addendum is filed $300 in addition to the normal permit application fee.

(b) Demolition Applications, to be collected by Central Permit Bureau.

(1) Administratively reviewed - $400.

(2) Requiring Landmarks Preservation Advisory Board Action- (($550)) $710 plus time and materials beyond 10 hours.

(c) Fire, Police and Health Department Permit Applications Review - $45 plus time and materials for work in excess of one hour to be collected by the other departments in conjunction with current fee collections.

(d) Sign Applications, to be collected by Central Permit Bureau - $90.

Sec. 356. PRESERVATION APPLICATIONS (Article 10).

(a) Landmark - $250.

(b) Amendment, Rescission or Designation of historical district - (($400.)) $1,000 plus time and materials in excess of fee paid.

(c) Certificate of Appropriateness

Estimated Construction Cost	Fee
Less than $1,000	$200
$1,000 to $9,999	$400
$10,000 or more	Conditional Use Fee Schedule (Sec. 352(a))

(d) Determination that a building is a compatible rehabilitation or a compatible replacement building, pursuant to Sections 309 or 1109 - Same as Conditional Use Fee Schedule (Sec. 352 (a)).

Sec. 357. TRANSPORTATION REVIEW ASSOCIATED WITH PROJECT APPLICATIONS.

(a) Initial transportation assessment to determine whether transportation study is required - (($110.))$142.

(b) Transportation study - (($4,400)) $5,680 plus time and materials for costs incurred beyond the initial fee.

Sec. 358. TEMPORARY SURCHARGES ON PLANNING FEES.

(a) For each class of permit, filing or request listed in Sections 351 through 357 a((n 8%)) 10% surcharge shall be added to the filing fee to enable the Department of City Planning to recover

the cost incurred by the Department in developing and implementing the hardware and software systems required to computerize activities associated with the Department's processing of permit applications and for required operations and maintenance of Department space at 1660 Mission Street. This surcharge shall remain in effect through June 30, 199((4)) 5.

Sec. 359. PERIOD ARTICLE IS OPERATIVE. THIS ARTICLE IS OPERATIVE EFFECTIVE JULY 1, 1991 THROUGH DECEMBER 31, 1995. This Article is repealed as of January 1, 1996 unless a later enacted ordinance extends the operative period.

These amendments to fees related to the Department of City Planning are intended to provide revenues for the increased staffing and other support necessary to provide more timely processing of applications within that Department.

The City Planning Commission shall conduct public hearings at the end of Fiscal Year 1992-1993, Fiscal Year 1993-94 and Fiscal Year 1994-1995 to review the level of service provided by the Department of City Planning in providing improved application processing as contemplated under this ordinance. The Commission shall determine at its public hearing at the end of Fiscal Year 1994-95 whether to initiate an ordinance to extend or to otherwise modify those amendments to fees related to the Department of City Planning that are contained within this ordinance. The Commission shall provide a report and appropriate recommendations to the Board of Supervisors within one month of the close of its public hearing.

Section 3, Part II, Chapter 9, Article 9, Section 985 of the San Francisco Municipal Code is hereby amended to read as follows:

SEC.985. RULES REGARDING AUTHORIZATION OF TEMPORARY USES. (a) Temporary Uses in General. The temporary uses listed in this section, where not otherwise permitted in a Mission Bay Use District, may be authorized by the Zoning Administrator as provided herein, up to the time limits indicated. Such uses may be authorized without a public hearing ((and without a fee being charged)). Extensions of time for uses listed herein may be authorized in the same manner as the initial use.

(b) Temporary Uses: 60 Day Limit. The following uses, may be authorized for a period not to exceed sixty (60) days:

1. Exhibition, celebration, festival, circus, or neighborhood carnival;

2. Booth for charitable, patriotic or welfare purposes;

3. Open air sale of agriculturally-produced seasonal decorations including, but not necessarily limited to, Christmas trees and Halloween pumpkins;

4. Parking which is accessory to the uses listed in this subsection.

(c) Temporary Uses: One to Five Year Limit. Temporary uses authorized pursuant to this subsection shall not exceed an initial approval period of up to five years. Extensions of this approval period may be authorized by the Zoning Administrator in increments

of up to five year periods if the authorized use is consistent with the objectives and policies in the Mission Bay Plan. The following uses may be authorized as temporary uses:

1. Temporary structures and uses incidental to the construction of a building or a group of buildings, including but not limited to construction staging of materials and equipment;

2. Rental or sales office incidental to a new development, provided that it be located in the development project or a temporary structure; and

3. Structures and uses incidental environmental cleanup and staging;

4. Parking which is accessory to the uses listed in this subsection.

(d) Other Temporary Uses. Any other use which is not listed in Subsection (b) or (c) but which is permitted in a M-1 zoning district may be permitted as a temporary use for a time period to be determined by the Zoning Administrator not to exceed 10 years, upon the determination by the Zoning Administrator that the authorized use is consistent with the Master Plan, including the objectives, policies and phasing principles of the Mission Bay Plan.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By Judith A. Boggian
Deputy City Attorney

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 16, 1994	May 23, 1994
Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley
Absent: Supervisors Conroy Maher Shelley	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No. 115-94-4

JUN 2 1994

Date Approved

Mayor

File No. 115-94-4 Ordinance No. 212-94

E R R A T A

Correct page 5 line 14 to correct a typographical error and change 5% to 75 per cent. Sentence beginning on Line 10 to read in its entirety as follows:

In the event that the Department of City Planning is provided information establishing that the City and County of San Francisco is contributing 50 percent or more of the financing for the project, but less than 75 percent, the fees paid by these non-profit organizations for such affordable housing developments shall be 50 percent of the specified fees, and provided further, if the Department determines that the City and County of San Francisco is contributing 75 percent or more of the financing for the project, the fee shall be waived.

John L. Taylor
Clerk of the Board
September 22, 1994

File No. 115-94-4 Ordinance No. 212-94

E R R A T A

Correct title to read as follows:

AMENDING ARTICLE 2, SECTION 205; ARTICLE 3.5A, SECTION 350-359; AND ARTICLE 9, SECTION 985 OF THE SAN FRANCISCO MUNICIPAL CODE (CITY PLANNING CODE) TO IMPOSE NEW FEES, CHANGE THE AMOUNT OF FEES CURRENTLY CHARGED RELATING TO DEPARTMENT OF CITY PLANNING ACTIONS, ACTIVITIES AND SERVICES.

John L. Taylor
Clerk of the Board
July 13, 1994

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AMENDING ARTICLE 2, SECTION 205 /ARTICLE 3.5A SECTION 350-359 /AND ARTICLE 9 SECTION 985 /OF THE SAN FRANCISCO MUNICIPAL CODE (CITY PLANNING CODE) TO IMPOSE NEW FEES, CHANGE THE AMOUNT OF FEES CURRENTLY CHARGED RELATING TO DEPARTMENT OF CITY PLANNING ACTIONS, ACTIVITIES AND SERVICES

NOTE: Additions are <u>underlined</u>: deletions are in

((double parentheses)).

Be it ordained by the people of the City and county of San Francisco:

Section 1, Part II, Chapter 2, Article 2, Section 205 of the San Francisco Municipal Code is hereby amended to read as follows:

SEC. 205. TEMPORARY USES, GENERAL. (a) The temporary uses listed in Sections 205.1 through 205.3, where not otherwise permitted in the district, may be authorized as provided herein, up to the time limits indicated. Further time for such uses may be authorized only by action upon a new application, subject to all the requirements for the original application, unless otherwise indicated in Sections 205.1 through 205.3.

SUPERVISORS ALIOTO, BIERMAN, HSIEH

(b) Action upon such uses shall be by the City Planning Commission, subject to all the requirements for conditional uses in Sections 303 and 306 through 306.5 of this Code; except that uses listed in Section 205.1, uses listed in Section 205.2 if located in a C or M District, and uses listed in Section 205.3 within the South of Market districts, may be authorized by the Zoning Administrator without a public hearing ((and without a fee being charged)).

(c) Wherever a use exists at the effective date of this Code or of an amendment thereto under which such use is classified as a temporary use, or wherever a use is being conducted under a temporary use authorization given prior to such a date, such use may be continued for the maximum term specified therefor, calculated from said effective date or date of authorization. No such use shall continue thereafter unless a temporary use authorization shall have been sought and obtained under a new application. Continuance of a temporary use beyond the date of expiration of the period authorized therefor, or failure to remove a structure for such temporary use within 10 days thereafter, shall constitute a violation of this Code.

Section 2. Part II, Chapter 2, Article 3.5A of the San Francisco Municipal Code is hereby amended to read as follows:

ARTICLE 3.5A

Sec. 350. FEES, GENERAL. Fee shall be imposed in order to compensate the Department of City Planning for the cost of processing permit applications for the establishment, abolition or modification of a setback line, for signs, demolition, reclassification of property, conditional use authorization, granting of an exemption, variance, or coastal zone permit; reviewing permit applications filed in and issued by other City departments, institutional master plans, Master Plan amendments and referrals, projects which require review under Section 295 of this Code (park shadow ordinance) and permits requiring additional review by nature of their location within the C-3 District, projects requiring special review pursuant to Section 306.7; providing transportation review associated with project applications, providing policy and code review and interpretation, Zoning Administrator written determinations pursuant to Section 307 (a), zoning certifications, research, document retrieval and technical reports, City Planning Commission agendas, notification of project applications, computer acquisition, hazardous waste facilities review; collection of fees that are in arrears, collection of delinquent accounts. Fees shall be charged and collected as indicated for each class of application, permit, filing request or activity listed in Sections 351 through 358 below.

(a) Estimated Construction Costs are as defined by the San Francisco Building Code.

(b) All fees are payable at time of filing application or request, except where noted otherwise.

(c) Refunds - When an application is (1) either withdrawn by the applicant, or deemed cancelled by the Department of City Planning due to inactivity on the part of the applicant, and (2) the Zoning Administrator determines that no substantial costs have been incurred by the Department in acting on the application (for example, little time has been expended beyond initial scoping meetings), then the applicant shall be entitled to a refund of 75 percent of the fee paid to the Department.

(d) Reduced Fee

(1) Any fraternal, charitable, benevolent or any other 26 non-profit organization, which organization is exempt from taxation under the Internal Revenue laws of the United States and the Revenue and Taxation Code of the State of California as a bona fide fraternal, charitable, benevolent or other non-profit organization, shall pay 75% of the <u>base</u> fees specified in Sec. 352 (a), (g), (h), (i), (j), <u>plus 100% of time and materials for any cost beyond the base fee paid</u> ((at the time of issuance of the building permit)), as long as the fees are paid <u>(1) before final Department of City Planning approval of the building permit, preparatory to issuance of the building permit, before</u> the building permit is

released to the applicant, or (2) within one year of the date of action on the application, whichever comes first; provided that the application is for the development of residential units all of which are affordable to low and moderate income households, as defined in the Guidelines of the United States Housing and Urban Development Department, for a period of 20 years, which exemption shall apply notwithstanding the inclusion in the development of other non-profit ancillary or accessory uses. In the event that the Department of City Planning is provided information establishing that the City and County of San Francisco is contributing 50% or more of the financing for the project, but less than ~~50%~~ 75%, the fees paid by these non- profit organizations for such affordable housing developments shall be 50% of the specified fees, and provided further, if the Department determines that the City and County of San Francisco is contributing 75% or more of the financing for the project, the fee shall be waived. For the purposes of this paragraph, funds received by the City and County of San Francisco as entitlement under Federal or State Programs and San Francisco Redevelopment Agency funds shall be considered

contributions of the City and County of San Francisco.

(2) An exemption from paying the full fees specified under Section 352(b) may be granted when the requestor's income is not enough to pay for the fee without affecting their abilities to pay for the necessities of life, provided that the person seeking the exemption demonstrates to the Zoning Administrator that they are substantially affected by the proposed project.

Sec. 351. ADMINISTRATIVE SERVICES.

(a) Agendas for Planning Commission - $15 annual subscription to cover costs of mailing. Planning Commission Secretary may authorize exemptions in those instances where costs would impose financial hardship.

(b) Certification of Copies - $25 per document.

(c) Document Retrieval-actual estimated costs for retrieval and return of files stored off-site per schedule prepared by Director of Planning. No charge is allowed for labor costs incurred in document retrieval, only out-of-pocket expenses paid by the Department.

(d) Information, Analysis, Report Preparation and Presentation Time and materials as set forth in an analysis and reporting schedule, based on the Department's estimated actual

costs for time and materials required to perform the work, prepared by the Director of Planning and approved by the City Planning Commission. The costs of report preparation may be amortized by factoring full cost recovery into the pricing of such information and reports.

(e) Late Charges and Collection of Overdue Accounts - A surcharge of one percent per month shall be added to the fee amount owing the Department for fee accounts in arrears more than 30 days. The Zoning Administrator may call upon other City agencies or duly licensed collection agencies for assistance in collecting delinquent accounts more than six month in arrears, in which case any additional costs of collection may be added to the fee amount outstanding. If the Department seeks the assistance of a duly licensed collection agency, the approval procedures of Administrative Code Article 5, Section 10.39-1 et. seq. will be applicable.

(f) Monitoring Projects. - Fee to be collected at the time of building permit issuance, by the Central Permit Bureau.

(1) Authorized projects under Sections 149, 163, 164, 165 and 321 - $5,000 per project.

(2) All approved applications in Section 352(a) and (j), 353 (a) and (b), and 355 - (($110)) $142 for two hours of staff time or portion thereof plus time and materials beyond first two hours' of staff time for monitoring conditions of approval established pursuant

to a public hearing by the City Planning Commission or Zoning Administrator; such time and materials includes resources provided by other departments or agencies as well as the Department of City Planning. For monitoring required subsequent to the time of permit issuance or where no permit is required, the fee will be charged and collected by the Department.

(g) Notices of Special Restrictions, review and approval, for recordation in Office of County Recorder - (($60)) $71.

(h) Policy and Code Review and Interpretation for prospective projects for which an application has not been filed - (($110)) $142 for two hours of staff time or fraction thereof plus time and materials beyond first two hours of staff time. Initial fee to be paid prior to meeting date.

(i) Project Notifications for an Individual or Organization Requesting Notification of Project Applications

(1) First Address or First Assessor's Block - $25 per annum.

(2) Additional Addresses - $10 for addresses in each new Assessor's Block thereafter, per annum.

(j) Research Services and Data Requests - (($27.50)) $36 minimum for first half hour of staff time or fraction there of, plus (($27.50)) $36 for each subsequent half hour of staff time.

(k) Zoning Administrator written determinations pursuant to Section 307(a) - (($55)) $71 minimum for first hour of staff time

or fraction thereof, plus ((($55)) $71 for each subsequent hour of staff time ((up to a maximum of $500)).

(l) Zoning Certifications.

(1) Single Family Residence - $50.

(2) Others Uses - ((($55)) $71 minimum for first hour of staff time or fraction thereof, plus ((($55)) $71 for each subsequent hour of staff time ((up to a maximum of $500)).

(m) Responding to Work Requests Requiring Overtime Work: An additional 50% above the normal fee.

Sec. 352. COMMISSION AND VARIANCE HEARING APPLICATIONS.

(a) Conditional Use (Sec. 303), Variance (Sec. 305) and Coastal Zone Permit (Sec. 330) Applications.

Estimated Construction Cost	Initial Fee
Less than $10,000	((($600)) $800
$10,000 to $999,999	((($750)) $1,000 plus ((.34%)) .46% of cost over $10,000
$1,000,000 to $4,999,999	((($4,121)) $5,516 plus ((.39%)) .55% of cost over $1,000,000
$5,000,000 to $9,999,999	((($19,889)) $27,670 plus ((.34%)) .46% of cost over $5,000,000

$10,000,000 to $29,999,999	((($36,912)) $50,476 plus ((.17%)) .24% of cost over $10,000,000
$30,000,000 to $49,999,999	((($71,795)) $99,346 plus ((.11%)) .15% of cost over $30,000,000
$50,000,000 to $99,999,999	((($93,297)) $128,668 plus ((.07%)) .1% of cost over $50,000,000
$100,000,000 or more	((($129,135)) $177,538 plus ((.02%)) .03% of cost over $100,000,000
No construction cost	((($750)) $1,000 plus time and materials in excess of fee paid

(1) Applications with verified violations of this Code - time and materials in excess of fee for renotification, investigation and research relating to processing applications, where the applicant has failed to respond fully, and within the time requested, to a notice of incomplete application citing the code violations with direction for their correction, not to exceed five times the amount of the initial fee.

(2) Where an applicant requests both a conditional use authorization and a variance, certificate of

appropriateness or a coastal zone permit review the amount of the ((conditional use)) variance, certificate of appropriateness or coastal zone permit initial fee shall be reduced by 50%; plus time and materials in excess of the fee paid.

(3) Minor project modifications requiring a public hearing to amend conditions of approval of a previously authorized project, not requiring a substantial reevaluation of the prior authorization - $750 plus time and materials in excess of fee paid.

(4) The applicant shall be charged for any time and materials beyond the fees paid in Sec. 352(a), not to exceed twice the amount of the initial fee.

(b) Discretionary Review Request - ((($75)) $125.

(c) Institutional Master Plan (Sec. 304.5).

(1) Full Institutional Master Plan or substantial revision - ((($5,500)) $8,400 for first 100 hours of staff time or portion thereof plus time and materials beyond first 100 staff hours.

(2) Abbreviated Institutional Master Plan - ((($550)) $840 for first ((five)) ten hours of staff time or fraction thereof plus time and materials beyond first 10 staff hours.

(d) Land Use Amendments and Related Plans and Diagrams of the San Francisco Master Plan - Fee based on the Department's estimated

actual costs for time and materials required to review and implement the requested amendment, according to a budget prepared by the Director of Planning, in consultation with the sponsor of the request.

(e) Master Plan Referrals (Sec. 101.1) - ((($110 for two hours of staff time or fraction thereof plus))T((t))ime and materials ((beyond first two hours of staff time)).

(1) Redevelopment Plan Review - the Director of Planning shall prepare a budget to cover actual time and materials expected to be incurred, in consultation with the Redevelopment Agency. A sum equal to one-half the expected cost will be submitted to the Department, prior to the commencement of the review. The remainder of the costs will be due at the time the initial payment is depleted.

(f) Neighborhood Commercial District Regulations, Extension of deadline for applications for compliance (Sec. 179).

(1) Building Permit - $1,545 in addition to fee under Sec. 355(a).

(2) Conditional Use Permit - $985 in addition to fee under Sec. 352(a).

(g) Planned Unit Development (Sec. 304) - same as fee schedule for conditional use (Sec. 352(a)) plus time and materials for any cost beyond the fee paid, not to exceed twice the amount of the initial fee.

(h) Reclassify property or impose interim zoning controls - $3,000 plus $600 per additional Assessor's Block or portion thereof.

(1) The applicant shall be charged for any time and materials beyond the fees established in Sec. 352 (h), not to exceed twice the amount of the initial fee.

(2) Applications with verified violations of this Code -time and materials in excess of fee for renotification, investigation and research relating to processing applications, where the applicant has failed to respond fully, and within the time requested, to a notice of incomplete application citing the code violations with direction for their correction, not to exceed five times the amount of the initial fee.

(i) Setback Line, establish, modify or abolish - $1500 for each affected block frontage or portion thereof.

(((j) Variances (Sec. 305).

Estimated Construction Cost	Fee
Less than $10,000	$1,000
$10,000 to $999,999	$1,000 + .46% of cost over $10,000
$1,000,000 to $4,999,999	$5,516 plus .55% of cost over $1,000,000
$5,000,000 to $9,999,999	$27,670 plus .46% of cost over $5,000,000

$10,000,000 to $29,999,999	$50,476 plus .24% of cost over $10,000,000
$30,000,000 to $49,999,999	$99,346 plus .15% of cost over $30,000,000
$50,000,000 to $99,999,999	$128,668 plus .1% of cost over $50,000,000
$100,000,000 or more	$177,538 plus .03% of cost over $100,000,000
No construction cost	$1,000 plus time and materials in excess of fee paid

(1) The applicant shall be charged for any time and materials beyond the fees established in Sec. 352 (j), not to exceed twice the amount of the initial fee.

(2) Applications with verified violations of this Code - time and materials in excess of fee for renotification, investigation and research relating to processing applications citing the code violations with direction for their correction, where the applicant has failed to respond fully, and within the time requested, to a notice of incomplete application, not to exceed five times the amount of the initial fee.

(3) Minor project modifications requiring a public hearing to amend conditions of approval of a previously authorized project, not requiring a substantial

reevaluation of the prior authorization - $750 plus time and materials in excess of fee paid.))

(i) Temporary Use Fees: $71 for first hour of staff time or fraction thereof plus time and materials for each subsequent hour of staff time; provided, however, that if the Zoning Administrator projects the cost will exceed $1,000, a budget shall be developed in consultation with the applicant for the work required to process the application.

(k) Hazardous Waste Facility Applications (California Health and Safety Code, Division 20, Chapter 6.5, Article 8.7, commencing with Section 25199).

(1) The fee shall equal the City's actual costs of processing the application in accordance with the California Health and Safety Code, which requires the City to comply with notification requirements; establish, convene and provide staff assistance to a local assessment committee; provide technical assistance grants to the local assessment committee; and present the City's position on the application to the Governor's appeal board in the event of an appeal.

(2) The applicant shall pay an initial fee equal to the estimated actual time and materials costs expected to be incurred in processing the application as required by the California Health and Safety Code and estimated

actual costs of technical assistance grants that the City expects to provide to the local assessment committee. The initial fee shall be itemized in a Hazardous Waste Facility Review Budget and Schedule ("Budget" and "Schedule") prepared by the Director of Planning, in consultation with the applicant, and approved by the City Planning Commission; provided, however, that if the estimated Schedule exceeds one year, then the estimated Budget shall be prepared for the initial twelve-month period only and the estimated Budget for any subsequent twelve-month time period shall be prepared prior to the end of the prior twelve-month period.

(3) The applicant shall pay the initial fee prior to filing the notice of intent required by the State, provided, however, that the Budget and Schedule may authorize payment of the initial fee in up to four equal increments payable periodically over the period of the Schedule, in which case the first installment shall be paid prior to filing the notice of intent.

(4) Where initial payment is insufficient to compensate the actual cost incurred, the Director of Planning shall charge the applicant an additional sum equal to such actual cost after first revising the Budget and Schedule

to reflect the additional cost and obtaining the approval of the City Planning Commission.

(5) Fees paid to the Department pursuant to this section shall be deposited with the Treasurer and held by the Controller and expended in accord with the hazardous Waste Review Budget approved pursuant to this Section.

(l) Amendments to Text of the Planning Code: $3,000 plus time and materials in excess of the fee paid.

(m) Determination of Compatibility with Design Guidelines Related to Bernal Heights (Sec. 242(e)6(B): $125.

Sec. 353. DOWNTOWN APPLICATIONS.

(a) Exception in C-3 District (Section 309) - 1/2 the fee for conditional use (Sec.352(a)).

(b) Modifications in C-3 District, Determination of Need (Section 309) - same as fee schedule for conditional use (Sec.352(a)).

(c) Office Development Limitation Projects (Section 320 through 323) - $15,000 per application.

(d) Transfer of Development Rights and Article II Designated Buildings.

(1) Significant or Contributory Building, designation or change of boundary - $670.

(2) Conservation District, designation or change of boundary - $670.

(3) Permit for alteration of a Significant or Contributory Building within a designated Conservation District, not deemed minor by the Zoning Administrator.

Estimated Construction Cost	Fee
Less than $1,000	$200
$1,000 to $9,999	$400
$10,000 to $999,999	$750 plus .34% over $10,000
$1,000,000 to $4,999,999	$4,155 plus .39% over $1,000,000
$5,000,000 to $9,999,999	$19,923 plus .34% over $5,000,000
$10,000,000 to $29,999,999	$36,946 plus .17% over $10,000,000
$30,000,000 to $49,999,999	$71,829 plus .11% over $30,000,000
$50,000,000 to $99,999,999	$93,332 plus .07% over $50,000,000
$100,000,000 or more	$129,170 plus .02% over $100,000,000
No construction cost	$400 plus time and materials in excess of fee paid

(4) Alteration of a Contributory Building located outside a Conservation District from which no TDR have been

transferred and no issuance of a permit pursuant to Sections IIII through IIII.6 - $25.

(5) Significant or Contributory Building Demolition - $670. This fee shall be in addition to any fee otherwise required for permits to alter or demolish. However, applications to demolish a Contributory Building located outside a Conservatory District from which no TDR have been transferred or a Category V Building in a conservation District from which no TDR have been transferred are subject only to the demolition fee contained in Sec. 355(6)(b).

(6) Statement of Eligibility - $500.

(7) Certificate of Transfer, Execution - $250.

(8) Certification of Transfer of TDR - $500.

Sec. 354. ENVIRONMENTAL REVIEW. SEE ADMINISTRATIVE CODE, SECTION 31.46A FOR FEES.

Sec. 355. PERMIT APPLICATIONS.

(a) Building Permit Applications for a new building, change in use or alter the exterior of an existing building to be collected by Central Permit Bureau.

Estimated Construction Cost	Fee
$500 or less	$90
$501 to $999	$90 plus 10% of cost over $500
$1000 to $1999	$140 plus 6% of cost over $1000
$2000 to $4999	$200 plus 3% of cost over $2000

$5000 to $9999	$290 plus 1% of cost over $5000
$10,000 to $199,999	$340 plus .2% of cost over $10,000
$200,000 to $4,999,999	$720 plus .17% of cost over $200,000
$5,000,000 to $9,999,999	$8870 plus .15% of cost over $5,000,000
$10,000,000 or more	$16,370 plus .14% of cost over $10,000,000
No construction cost	$190 plus time and materials in excess of fee paid

(1) Applications with verified violations of this Code - time and materials in excess of fee for renotification, investigation and research relating to processing applications, where the applicant has failed to respond fully, and within the time requested, to a notice of incomplete application citing the code violations with direction for their correction, not to exceed five times the amount of the initial fee.

(2) Back-Check Fee for Permit Revisions - (($55)) $71 an hour to be collected at time of permit issuance.

(3) Design Guidelines and Code-Complying Massing Recommendations, Site-Specific - (($110)) $168 plus time and materials beyond 2 hours, to be collected at time of permit issuance.

(4) C-3 (Downtown Commercial) District Notification Fee (Sec. 309) - additional $200.

(5) New Construction or Alteration Exceeding 40 Fee in Height (Section 295) - additional $200.

(6) Projects requiring review under special review procedures established by the City Planning Commission pursuant to interim legislation adopted as interim controls pursuant to Section 306.7, during the period of time such controls are in effect, including any extensions - $275.

(7) Site Permit applications, to be collected by Central Permit Bureau: Where construction cost is more than $350,000 or more than one addendum is filed $300 in addition to the normal permit application fee.

(b) Demolition Applications, to be collected by Central Permit Bureau.

(1) Administratively reviewed - $400.

(2) Requiring Landmarks Preservation Advisory Board Action- (($550)) $710 plus time and materials beyond 10 hours.

(c) Fire, Police and Health Department Permit Applications Review - $45 plus time and materials for work in excess of one hour to be collected by the other departments in conjunction with current fee collections.

(d) Sign Applications, to be collected by Central Permit Bureau - $90.

Sec. 356. PRESERVATION APPLICATIONS (Article 10).

(a) Landmark - $250.

(b) Amendment, Rescission or Designation of historical district - (($400.)) $1,000 plus time and materials in excess of fee paid.

(c) Certificate of Appropriateness

Estimated Construction Cost	Fee
Less than $1,000	$200
$1,000 to $9,999	$400
$10,000 or more	Conditional Use Fee Schedule (Sec. 352(a))

(d) Determination that a building is a compatible rehabilitation or a compatible replacement building, pursuant to Sections 309 or 1109 - Same as Conditional Use Fee Schedule (Sec. 352 (a)).

Sec. 357. TRANSPORTATION REVIEW ASSOCIATED WITH PROJECT APPLICATIONS.

(a) Initial transportation assessment to determine whether transportation study is required - (($110.))$142.

(b) Transportation study - (($4,400)) $5,680 plus time and materials for costs incurred beyond the initial fee.

Sec. 358. TEMPORARY SURCHARGES ON PLANNING FEES.

(a) For each class of permit, filing or request listed in Sections 351 through 357 a((n 8%)) 10% surcharge shall be added to the filing fee to enable the Department of City Planning to recover

the cost incurred by the Department in developing and implementing the hardware and software systems required to computerize activities associated with the Department's processing of permit applications and for required operations and maintenance of Department space at 1660 Mission Street. This surcharge shall remain in effect through June 30, 199((4)) 5.

Sec. 359. PERIOD ARTICLE IS OPERATIVE. THIS ARTICLE IS OPERATIVE EFFECTIVE JULY 1, 1991 THROUGH DECEMBER 31, 1995. This Article is repealed as of January 1, 1996 unless a later enacted ordinance extends the operative period.

These amendments to fees related to the Department of City Planning are intended to provide revenues for the increased staffing and other support necessary to provide more timely processing of applications within that Department.

The City Planning Commission shall conduct public hearings at the end of Fiscal Year 1992-1993, Fiscal Year 1993-94 and Fiscal Year 1994-1995 to review the level of service provided by the Department of City Planning in providing improved application processing as contemplated under this ordinance. The Commission shall determine at its public hearing at the end of Fiscal Year 1994-95 whether to initiate an ordinance to extend or to otherwise modify those amendments to fees related to the Department of City Planning that are contained within this ordinance. The Commission shall provide a report and appropriate recommendations to the Board of Supervisors within one month of the close of its public hearing.

Section 3, Part II, Chapter 9, Article 9, Section 985 of the San Francisco Municipal Code is hereby amended to read as follows:

SEC.985. RULES REGARDING AUTHORIZATION OF TEMPORARY USES. (a) Temporary Uses in General. The temporary uses listed in this section, where not otherwise permitted in a Mission Bay Use District, may be authorized by the Zoning Administrator as provided herein, up to the time limits indicated. Such uses may be authorized without a public hearing ((and without a fee being charged)). Extensions of time for uses listed herein may be authorized in the same manner as the initial use.

(b) Temporary Uses: 60 Day Limit. The following uses, may be authorized for a period not to exceed sixty (60) days:

1. Exhibition, celebration, festival, circus, or neighborhood carnival;

2. Booth for charitable, patriotic or welfare purposes;

3. Open air sale of agriculturally-produced seasonal decorations including, but not necessarily limited to, Christmas trees and Halloween pumpkins;

4. Parking which is accessory to the uses listed in this subsection.

(c) Temporary Uses: One to Five Year Limit. Temporary uses authorized pursuant to this subsection shall not exceed an initial approval period of up to five years. Extensions of this approval period may be authorized by the Zoning Administrator in increments

of up to five year periods if the authorized use is consistent with the objectives and policies in the Mission Bay Plan. The following uses may be authorized as temporary uses:

1. Temporary structures and uses incidental to the construction of a building or a group of buildings, including but not limited to construction staging of materials and equipment;

2. Rental or sales office incidental to a new development, provided that it be located in the development project or a temporary structure; and

3. Structures and uses incidental environmental cleanup and staging;

4. Parking which is accessory to the uses listed in this subsection.

(d) Other Temporary Uses. Any other use which is not listed in Subsection (b) or (c) but which is permitted in a M-1 zoning district may be permitted as a temporary use for a time period to be determined by the Zoning Administrator not to exceed 10 years, upon the determination by the Zoning Administrator that the authorized use is consistent with the Master Plan, including the objectives, policies and phasing principles of the Mission Bay Plan.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By Judith A. Bagjian
Deputy City Attorney

U:\MAK\WP51\ART9495.ORD

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 16, 1994	May 23, 1994
Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley
Absent: Supervisors Conroy Maher Shelley	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Lum
Acting Clerk

File No. 115-94-4

JUN 2 1994
Date Approved

Frank M. Jordan
Mayor

FILE NO. 36-94-2 ORDINANCE NO. 213-94

[Zoning Map Change 93.352Z]

ADOPTING CHANGES IN PROPERTY USE CLASSIFICATION AS AN AMENDMENT TO THE ZONING MAP OF THE CITY AND COUNTY OF SAN FRANCISCO OF PROPERTY LOCATED ON THE SOUTH SIDE OF KEY AVENUE, 325 FEET SOUTHEASTERLY FROM JENNINGS STREET IN ASSESSOR'S BLOCK 4996, LOT 23 FROM AN RH-1 (HOUSE, ONE-FAMILY) DISTRICT TO AN RH-2 (HOUSE, TWO-FAMILY) DISTRICT AND ADOPTING FINDINGS PURSUANT TO CITY PLANNING CODE SECTIONS 101.1 AND 302(C).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Pursuant to a Certificate of Determination of Exemption/Exclusion from Environmental Review issued by the Environmental Review Officer of the Department of City Planning on July 30, 1993, and pursuant to Section 302(c) of the City Planning Code, Part II, Chapter II of the San Francisco Municipal Code, the following change in property use classification, duly approved by resolution of the City Planning Commission, is hereby adopted as an amendment to the Zoning Map of the City and County of San Francisco.

	Use District to be Superseded	Use District Hereby Approved
BEGINNING at a point on the southwesterly line of Key Avenue, 350 feet southeasterly from the southeasterly line of Jennings Street; thence at a right angle southwesterly 100 feet; thence at a right angle northwesterly 25 feet; thence at a right angle northeasterly 100 feet; thence at a right angle 25 feet southeasterly along said southwesterly line of Key Avenue to the point of beginning;	RH-1 (House, (One-Family)	RH-2 (House, Two-Family)

Being all of Lot 23 in Assessor's Block 4996, and adjacent street area to the centerline, as designated on Sectional Map No. 10 of the Zoning Map.

Section 2. Pursuant to City Planning Code Section 101.1, this Board of Supervisors adopts City Planning Commission Resolution No. 13646 approving findings related to the Eight Priority Policies of Section 101.1 of the City Planning Code.

APPROVED AS TO FORM:

LOUISE RENNE, CITY ATTORNEY

By Judith A. Boyajian
Deputy City Attorney

RECOMMENDED:

CITY PLANNING COMMISSION

By L. R. Blazej
Lucian R. Blazej
Director of Planning

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
May 16, 1994	§	May 23, 1994
	§	
	§	
Ayes: Supervisors Alioto Bierman	§	Ayes: Supervisors Alioto Bierman
Conroy Hallinan Hsieh Kennedy	§	Conroy Hallinan Hsieh Kaufman
Leal Maher Migden Shelley	§	Kennedy Leal Maher Shelley
	§	
Absent: Supervisor Kaufman	§	Absent: Supervisor Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Lum
Acting Clerk

File No.
36-94-2

JUN 2 1994
Date Approved

Frank M. Jordan
Mayor

FILE NO. 97-94-17 ORDINANCE NO. 214-94

(FEES FOR REPRODUCING RECORDS AND ENVIRONMENTAL REVIEW FEES)

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING CHAPTER 8, SECTION 8.28 AND CHAPTER 31 SECTION 31.46A TO AMEND FEES FOR REPRODUCING RECORDS, TO INCREASE FEES, MODIFY FEES AND EXTEND THE PERIOD CERTAIN FEES ARE CHARGED FOR ENVIRONMENTAL REVIEW PROCEDURES.

NOTES: Additions are <u>underlined</u>; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 8 of the San Francisco Administrative Code is hereby amended by amending Section 8.28 to read as follows:

Sec. 8.28 CITY PLANNING FEES.

The Department of City Planning is hereby authorized to charge fees for reproducing records which citizens have a right by law to inspect and copy as follows:

1. Photocopy of any record not exceeding 8 1/2 inches by fourteen inches (per page) $0((.25)).10

2. Photocopy of any record exceeding 8 1/2 inches by fourteen inches (per page) $0((.50)).10

The Department of City Planning is hereby authorized to sell printed copies of the Master Plan, or any element thereof, and printed copies of other reports produced by the Department. The charges for such printed copies shall be determined by the

SUPERVISORS ALIOTO, BIERMAN, HSIEH

Department of City Planning, but shall not exceed the cost to the Department for the reproduction of such reports.

There shall be no charge for one copy of the Master Plan and any elements thereof to governmental agencies or to a person who certifies under penalty of perjury that he or she is a duly authorized representative of an organization that is on the Department of City Planning's list of San Francisco neighborhood nonprofit organizations. The Department of City Planning shall issue written guidelines setting forth the procedure for an organization being included on such list.

Section 2. Chapter 31 of the San Francisco Administrative Code is hereby amended by amending Section 31.46A thereof to read as follows:

Sec. 31.46A. BASIC FEES.

(a) The following basic fees shall be charged by the Department of City Planning, as specified in Section 31.45 above:

(1) For an initial evaluation of a project (Section 31.23) excluding use of special expertise or technical assistance, as described in Section 31.47 below, the fee shall be:

- where the total estimated construction cost as defined by the San Francisco Building Code is less than $10,000 ..... $950;
- where said total estimated construction cost is $10,000 or more, but less than $200,000 .....

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$950 PLUS .41% of the cost over $10,000;

- where said total estimated construction cost is $200,000 or more, but less than $1,000,000 ..... $1,730 PLUS .31% of the cost over $200,000;
- where said total estimated construction cost is $1,000,000 or more, but less than $10,000,000 ....$4,248 PLUS .26% of the cost over $1,000,000;
- where said total estimated construction cost is $10,000,000 or more, but less than $30,000,000 ..... $27,647 PLUS .08% of the cost over $10,000,000;
- where said total estimated construction cost is $30,000,000 or more, but less than $50,000,000 ..... $44,067 PLUS .03% of the cost over $30,000,000;
- where said total estimated construction cost is $50,000,000 or more, but less than $100,000,000 ..... $49,540 PLUS .007% of the cost over $50,000,000;
- where said total estimated construction cost is $100,000,000 or more ..... $53,189 PLUS .003% of the cost over $100,000,000.
- where there is no construction cost $950

plus time and materials in excess of that fee.

(2) For preparation of an environmental impact report (Sections 31.26 - 31.28) excluding use of special expertise or technical assistance, as described in Section 31.47 below the fee shall be:

- where the total estimated construction cost as defined in the San Francisco building Code is less than $200,000 ..... $16,000. ((For each 200 hours of staff time or fraction thereof))
- where said total estimated construction cost is $200,000 or more, but less than $1,000,000 ..... $16,000 PLUS .4% of the cost over $200,000
- where said total estimated construction cost is $1,000,000 or more, but less than $10,000,000 ..... $19,187 PLUS .27% OF THE COST OVER $1,000,000
- where said total estimate construction cost is $10,000,000 or more, but less than $30,000,000 ..... $43,514 PLUS .11% of the cost over $10,000,000
- where said total estimated construction cost is $30,000,000 or more, but less than $50,000,000 ..... $64,854 PLUS .03% of the cost over $30,000,000

- where said total construction cost is $50,000,000 or more, but less than $100,000,000 ..... $70,328 PLUS .03% of the cost over $50,000,000
- where said total estimate construction cost is $100,000,000 or more $84,554 PLUS .01% of the cost over $100,000,000

Applicants will be billed for time and materials to cover any costs incurred in excess of the fee specified.

(3) For an appeal to the City Planning Commission [Sections 31.14(b), 31.24(d), 31.25(b)]: the fee shall be $200 to the appellant, and an additional fee shall be paid by the project sponsor based on the time and materials the Department expends in responding to the appeal; provided, however, that this additional fee shall not exceed three times the cost of the initial evaluation as set forth in paragraph 1 above.

(4) For a copy of an environmental impact report or other document, where this Chapter does not require the sending of that document to the person requesting it: the actual cost to the Department of City Planning of reproducing that copy.

(5) For preparation of an addendum to an environmental impact report that has previously been certified, pursuant to Section 15164 of the State CEQA Guidelines: one third of the fee

that would be required for a full environmental impact report on the same project, as set forth in paragraph 2 above, plus time and materials for costs in excess of that amount.

(6) For preparation of a supplement to a draft or certified final environmental impact report: one half of the fee that would be required for a full environmental impact report on the same project, as set forth in paragraph 2 above, plus time and materials for costs incurred in excess of that amount.

(7) For preparation of a subsequent environmental impact report: two thirds of the fee that would be required for a full environmental impact report on the same project, as set forth in paragraph 2 above plus time and materials for any costs in excess of that amount.

(8) For reevaluation of a modified project for which a negative declaration has been prepared, pursuant to Section 31.35 (a) and (c), ((one-third of the fee that would be required for an initial evaluation as shown in paragraph 1 above,)) the same fee as for an initial evaluation for projects with no construction cost, $950 plus time and materials for any costs incurred in excess of that amount, when the reevaluation results in a determination that no new environmental document must be prepared.

(9) For preparation of a Certificate of Exemption from Environmental Review determining that a project is Categorically

Exempt, Statutorily Exempt, Ministerial/Non-Physical, an Emergency, or a Planning and Feasibility Study.: $150. The fee set forth above shall be increased to cover any costs incurred in excess of the amount specified, based on time and materials expended.

(10) For preparation of a Letter of Exemption From Environmental Review: $75.

(11) For any project which has the potential to create shadow impact on property protected under City Planning Code Section 295(a), and is subject to computer analysis: a minimum fee of $5,000, and an additional fee to cover the cost of any time and materials which the Department has expended in excess of $5,000.

(12) For monitoring environmental mitigation measures which are imposed as conditions of approvals: cost of time and materials.

(b) Payment. The fee specified in Subsection (a) (1) shall be paid to the Department of City Planning at the time of the filing of the environmental evaluation application, and where an environmental impact report is determined to be required, the fee specified in Subsection (a) (2) shall be paid at the time the preliminary draft environmental impact report I (PDEIR I) is prepared, except as specified below. Any fraternal, charitable, benevolent or any other non-profit organization, which

organization is exempt from taxation under the Internal Revenue laws of the United States and the Revenue and Taxation Code of the Sate of California as a bona fide fraternal, charitable, benevolent or other non-profit organization, may defer payment of the fees specified in Subsections (a) (1) and (a) (2) to (1) the time of issuance of the building permit, before the building permit is released to the applicant; or (2) within one year of the date of completion of the environmental review document, whichever is sooner, provided that the application is for the development of residential units all of which units are affordable to low and moderate households, as defined in the Guidelines of the United States Housing and Urban Development Department, for a period of 20 years, which exemption shall apply notwithstanding the inclusion in the development of other non-profit ancillary or accessory uses.

An exemption from paying the full fees specified under Section 31.46A(a)3 may be granted when the appellant's income is not enough to pay the fee without affecting their abilities to pay for the necessities of life, provided that the person seeking the exemption demonstrates to the Zoning Administrator that they are substantially affected by the proposed project.

(c) Refunds. When a request for an initial evaluation or for preparation of an environmental impact report is (1) either withdrawn by the applicant or deemed canceled by the Department

of City Planning due to inactivity on the part of the applicant, and (2) the Environmental Review Officer determines that no substantial costs have been incurred by the Department in acting on the request (for example, no activity has occurred beyond initial scoping meetings) then the applicant shall be entitled to a refund of 75% of the fees paid to the Department.

(d) Temporary Surcharge On Environmental Review Fees.

(1) For each basic fee listed in Section 31.46A subsections (a)(1), (7), (8) and (12) above, a((n eight)) ten percent surcharge shall be added to the filing fee to enable the Department of City Planning to recover the initial costs incurred by the Department in developing and implementing the hardware and software systems required to computerize activities associated with the Department's processing of permit applications and for required operations and maintenance of Department space at 1660 Mission Street. This surcharge shall remain in effect until June 30, 199((4)) 5.

(f) Period Section is Operative. This Section is effective July 1, 1991 and operative through December 31, 1995. This Section is repealed as of January 1, 1996, unless a later enacted ordinance extends the operative period.

(g) These amendments to fees related to the Department of City Planning are intended to provide revenues for the increased staffing and other support necessary to provide more timely

processing of applications within that Department.

The City Planning Commission shall conduct public hearings at the end of Fiscal Year 1992-1993, Fiscal Year 1993-94, and Fiscal Year 1994-95 to review the level of service provided by the Department of City Planning in providing improved application processing as contemplated under this ordinance. The Commission shall determine at its public hearing at the end of Fiscal Year 1994-95 whether to initiate an ordinance to extend or to otherwise modify those amendments to fees related to the Department of City Planning that are contained within this ordinance. The Commission shall provide a report and appropriate recommendations to the Board of Supervisors within one month of the close of its public hearing.

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By Judith A. Boyajian
Deputy City Attorney

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cc

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
May 16, 1994	$	May 23, 1994
	$	
	$	
Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden	$	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley
	$	
Absent: Supervisors Conroy Maher Shelley	$	
	$	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Lum
Acting Clerk

JUN 2 1994
Date Approved

Frank M Jordan
Mayor

File No.
97-94-17

File No. 97-94-17 Ordinance No. 214-94

E R R A T A

To add subsection (e) inadvertently omitted and which was adopted by Ordinance No. 317-92 approved on October 29, 1992 which amended Section 31.46A, of the San Francisco Administrative Code as follows:

Page 9, Line 19, add Subsection (e) between subsections (d) and (f) as follows:

(e) Fee For Zoning and Public Information, and Construction Services Related to Development Projects and Permit Processing. For the basic fee in Section 31.46A Subsection (a)(1) above, the Department of City Planning shall charge and collect at the time of filing of the application an additional fee of $125 in order to compensate the Department of City Planning for zoning and public information, and construction services, related to development projects and permit processing.

John L. Taylor

John L. Taylor
Clerk of the Board
September 22, 1994

(FEES FOR REPRODUCING RECORDS AND ENVIRONMENTAL REVIEW FEES)

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING CHAPTER 8, SECTION 8.28 AND CHAPTER 31 SECTION 31.46A TO AMEND FEES FOR REPRODUCING RECORDS, TO INCREASE FEES, MODIFY FEES AND EXTEND THE PERIOD CERTAIN FEES ARE CHARGED FOR ENVIRONMENTAL REVIEW PROCEDURES.

NOTES: Additions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 8 of the San Francisco Administrative Code is hereby amended by amending Section 8.28 to read as follows:

Sec. 8.28 CITY PLANNING FEES.

The Department of City Planning is hereby authorized to charge fees for reproducing records which citizens have a right by law to inspect and copy as follows:

1. Photocopy of any record not exceeding 8 1/2 inches by fourteen inches (per page) $0((.25)).10

2. Photocopy of any record exceeding 8 1/2 inches by fourteen inches (per page) $0((.50)).10

The Department of City Planning is hereby authorized to sell printed copies of the Master Plan, or any element thereof, and printed copies of other reports produced by the Department. The charges for such printed copies shall be determined by the

BOARD OF SUPERVISORS
SUPERVISORS ALIOTO, BIERMAN, HSIEH

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Department of City Planning, but shall not exceed the cost to the Department for the reproduction of such reports.

There shall be no charge for one copy of the Master Plan and any elements thereof to governmental agencies or to a person who certifies under penalty of perjury that he or she is a duly authorized representative of an organization that is on the Department of City Planning's list of San Francisco neighborhood nonprofit organizations. The Department of City Planning shall issue written guidelines setting forth the procedure for an organization being included on such list.

Section 2. Chapter 31 of the San Francisco Administrative Code is hereby amended by amending Section 31.46A thereof to read as follows:

Sec. 31.46A. BASIC FEES

(a) The following basic fees shall be charged by the Department of City Planning, as specified in Section 31.45 above:

(1) For an initial evaluation of a project (Section 31.23) excluding use of special expertise or technical assistance, as described in Section 31.47 below, the fee shall be:

- where the total estimated construction cost as defined by the San Francisco Building Code is less than $10,000 ..... $950;
- where said total estimated construction cost is $10,000 or more, but less than $200,000 .....

$950 PLUS .41% of the cost over $10,000;

- where said total estimated construction cost is $200,000 or more, but less than $1,000,000 ..... $1,730 PLUS .31% of the cost over $200,000;
- where said total estimated construction cost is $1,000,000 or more, but less than $10,000,000 ....$4,248 PLUS .26% of the cost over $1,000,000;
- where said total estimated construction cost is $10,000,000 or more, but less than $30,000,000 ..... $27,647 PLUS .08% of the cost over $10,000,000;
- where said total estimated construction cost is $30,000,000 or more, but less than $50,000,000 ..... $44,067 PLUS .03% of the cost over $30,000,000;
- where said total estimated construction cost is $50,000,000 or more, but less than $100,000,000 ..... $49,540 PLUS .007% of the cost over $50,000,000;
- where said total estimated construction cost is $100,000,000 or more ..... $53,189 PLUS .003% of the cost over $100,000,000.
- where there is no construction cost $950

plus time and materials in excess of that fee.

(2) For preparation of an environmental impact report (Sections 31.26 - 31.28) excluding use of special expertise or technical assistance, as described in Section 31.47 below the fee shall be:

- where the total estimated construction cost as defined in the San Francisco building Code is less than $200,000 ..... $16,000. ((For each 200 hours of staff time or fraction thereof))
- where said total estimated construction cost is $200,000 or more, but less than $1,000,000 ..... $16,000 PLUS .4% of the cost over $200,000
- where said total estimated construction cost is $1,000,000 or more, but less than $10,000,000 ..... $19,187 PLUS .27% OF THE COST OVER $1,000,000
- where said total estimate construction cost is $10,000,000 or more, but less than $30,000,000 ..... $43,514 PLUS .11% of the cost over $10,000,000
- where said total estimated construction cost is $30,000,000 or more, but less than $50,000,000 ..... $64,854 PLUS .03% of the cost over $30,000,000

- where said total construction cost is $50,000,000 or more, but less than $100,000,000 ..... $70,328 PLUS .03% of the cost over $50,000,000
- where said total estimate construction cost is $100,000,000 or more $84,554 PLUS .01% of the cost over $100,000,000

<u>Applicants will be billed for time and materials to cover any costs incurred in excess of the fee specified.</u>

(3) For an appeal to the City Planning Commission [Sections 31.14(b), 31.24(d), 31.25(b)]: the fee shall be $200 to the appellant, and an additional fee shall be paid by the project sponsor based on the time and materials the Department expends in responding to the appeal; provided, however, that this additional fee shall not exceed <u>three times</u> the cost of the initial evaluation as set forth in paragraph 1 above.

(4) For a copy of an environmental impact report or other document, where this Chapter does not require the sending of that document to the person requesting it: the actual cost to the Department of City Planning of reproducing that copy.

(5) For preparation of an addendum to an environmental impact report that has previously been certified, pursuant to Section 15164 of the State CEQA Guidelines: one third of the fee

that would be required for a full environmental impact report on the same project, as set forth in paragraph 2 above, plus time and materials for costs in excess of that amount.

(6) For preparation of a supplement to a draft or certified final environmental impact report: one half of the fee that would be required for a full environmental impact report on the same project, as set forth in paragraph 2 above, plus time and materials for costs incurred in excess of that amount.

(7) For preparation of a subsequent environmental impact report: two thirds of the fee that would be required for a full environmental impact report on the same project, as set forth in paragraph 2 above plus time and materials for any costs in excess of that amount.

(8) For reevaluation of a modified project for which a negative declaration has been prepared, pursuant to Section 31.35 (a) and (c), ((one-third of the fee that would be required for an initial evaluation as shown in paragraph 1 above,)) the same fee as for an initial evaluation for projects with no construction cost, $950 plus time and materials for any costs incurred in excess of that amount, when the reevaluation results in a determination that no new environmental document must be prepared.

(9) For preparation of a Certificate of Exemption from Environmental Review determining that a project is Categorically

Exempt, Statutorily Exempt, Ministerial/Non-Physical, an Emergency, or a Planning and Feasibility Study.: $150. The fee set forth above shall be increased to cover any costs incurred in excess of the amount specified, based on time and materials expended.

(10) For preparation of a Letter of Exemption From Environmental Review: $75.

(11) For any project which has the potential to create shadow impact on property protected under City Planning Code Section 295(a), and is subject to computer analysis: a minimum fee of $5,000, and an additional fee to cover the cost of any time and materials which the Department has expended in excess of $5,000.

(12) For monitoring environmental mitigation measures which are imposed as conditions of approvals: cost of time and materials.

(b) Payment. The fee specified in Subsection (a) (1) shall be paid to the Department of City Planning at the time of the filing of the environmental evaluation application, and where an environmental impact report is determined to be required, the fee specified in Subsection (a) (2) shall be paid at the time the preliminary draft environmental impact report I (PDEIR I) is prepared, except as specified below. Any fraternal, charitable, benevolent or any other non-profit organization, which

organization is exempt from taxation under the Internal Revenue laws of the United States and the Revenue and Taxation Code of the Sate of California as a bona fide fraternal, charitable, benevolent or other non-profit organization, may defer payment of the fees specified in Subsections (a) (1) and (a) (2) to (1) the time of issuance of the building permit, before the building permit is released to the applicant; or (2) within one year of the date of completion of the environmental review document, whichever is sooner, provided that the application is for the development of residential units all of which units are affordable to low and moderate households, as defined in the Guidelines of the United States Housing and Urban Development Department, for a period of 20 years, which exemption shall apply notwithstanding the inclusion in the development of other non-profit ancillary or accessory uses.

An exemption from paying the full fees specified under Section 31.46A(a)3 may be granted when the appellant's income is not enough to pay the fee without affecting their abilities to pay for the necessities of life, provided that the person seeking the exemption demonstrates to the Zoning Administrator that they are substantially affected by the proposed project.

(c) Refunds. When a request for an initial evaluation or for preparation of an environmental impact report is (1) either withdrawn by the applicant or deemed canceled by the Department

of City Planning due to inactivity on the part of the applicant, and (2) the Environmental Review Officer determines that no substantial costs have been incurred by the Department in acting on the request (for example, no activity has occurred beyond initial scoping meetings) then the applicant shall be entitled to a refund of 75% of the fees paid to the Department.

(d) Temporary Surcharge on Environmental Review Fees.

(1) For each basic fee listed in Section 31.46A subsections (a)(1), (7), (8) and (12) above, a((n eight)) ten Percent surcharge shall be added to the filing fee to enable the Department of City Planning to recover the initial costs incurred by the Department in developing and implementing the hardware and software systems required to computerize activities associated with the Department's processing of permit applications and for required operations and maintenance of Department space at 1660 Mission Street. This surcharge shall remain in effect until June 30, 199((4)) 5.

(e) Fee For Zoning and Public Information, and Construction Services Related to Development Projects and Permit Processing. For the basic fee in Section 31.46A Subsection (a)(1) above, the Department of City Planning shall charge and collect at the time of filing of the application an additional fee of $125 in order to compensate the Department of City Planning for zoning and public information, and construction services, related to development projects and permit processing.

9/22/94
ejp

(f) Period Section is Operative. This Section is effective July 1, 1991 and operative through December 31, 1995. This Section is repealed as of January 1, 1996, unless a later enacted ordinance extends the operative period.

(g) These amendment to fees related to the Department of City Planning are intended to provide revenues for the increased staffing and other support necessary to provide more timely

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processing of applications within that Department.

The City Planning Commission shall conduct public hearings at the end of Fiscal Year 1992-1993, Fiscal Year 1993-94, and Fiscal Year 1994-95 to review the level of service provided by the Department of City Planning in providing improved application processing as contemplated under this ordinance. The Commission shall determine at its public hearing at the end of Fiscal Year 1994-95 whether to initiate an ordinance to extend or to otherwise modify those amendments to fees related to the Department of City Planning that are contained within this ordinance. The Commission shall provide a report and appropriate recommendations to the Board of Supervisors within one month of the close of its public hearing.

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By Judith A. Boyajian
Deputy City Attorney

U:\MAK\WP51\EIRFEE95.ORD

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
May 16, 1994	§	May 23, 1994
	§	
	§	
Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden	§	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley
	§	
Absent: Supervisors Conroy Maher Shelley	§	
	§	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Lem
Acting Clerk

File No.
97-94-17

JUN 2 1994
Date Approved

Frank M Jordan
Mayor

FILE NO. 97-94-24 ORDINANCE NO. 215-94

[Designation of Official Newspaper]

AMENDING ARTICLE IX OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 2.81 THEREOF, WHICH SETS FORTH A PROCEDURE FOR DESIGNATING THE CITY'S OFFICIAL NEWSPAPER, BY ALLOWING THE BOARD OF SUPERVISORS, BY RESOLUTION, TO REJECT THE RECOMMENDATION OF THE PURCHASER FOR THE AWARDING OF THE CONTRACT FOR THE CITY'S OFFICIAL NEWSPAPER AND TO AWARD THE CONTRACT TO A RELIABLE AND RESPONSIBLE BIDDER OR BIDDERS THAT MAY NOT HAVE SUBMITTED THE LOWEST BID.

Note: Additions or substitutions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Article IX of the San Francisco Administrative Code is hereby amended by amending Section 2.81 thereof to read as follows:

SEC. 2.81. OFFICIAL NEWSPAPER(S) - DESIGNATION. In each year, the Board of Supervisors shall designate the official newspaper or newspapers of the City and County as herein below set forth.

On or before the first day of June in each year, the Purchaser shall prepare a notice inviting sealed proposals for: (1) The publication of all official advertising of the City and County which is required by law to be published on two or more consecutive days, and all official advertising of the City and County which is required

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to be published in accordance with the provisions of Sections 2.200 or 2.201 of the Charter for special meetings of the Board of Supervisors and its standing or special committees; and (2) the publication of all official advertising of the City and County, which is required by law to be published one time, other than the provisions of Sections 2.200 or 2.201 of the Charter as they relate to special meetings of the Board of Supervisors and its standing or special committees; and all official advertising of the City and County which is required by law to be published more than one time, but not more than three times a week for a specified number of weeks. As part of the proposal process, the purchaser shall require any person, firm or corporation responding to said proposal to provide a declaration under penalty of perjury from a person authorized to issue such documents, on a form prescribed by the purchaser, certifying that said person, firm or corporation will, during the term of the contract, provide delivery of newspapers to any individual or business entity in the City and County of San Francisco who request the same, in a manner and on such terms as are available generally to other customers of the bidder. Said notices shall be published once in the appropriate official newspaper of the City and County. At least five days shall intervene between the date of publication and the time for filing such sealed proposals. The purchaser shall, not less than 10 days after the date of publication of said notices, report to the Board of Supervisors the amount of any and all sealed proposals received by him or her, and shall ((let)) recommend to the Board of Supervisors the awarding of a

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contract ((or contracts)) for the ensuing fiscal year to the lowest reliable and responsible bidder in each category set forth hereinabove. Thereupon the Board of Supervisors shall, by resolution, designate ((said)) a newspaper((s)) as the official newspaper ((or newspapers)) of the City and County for said fiscal year in each such category. With respect to each such category the Board of Supervisors may, by resolution, reject the recommendation of the Purchaser and award a contract to, and designate as the official newspaper, a reliable and responsible bidding newspaper that may not have submitted the lowest bid if the Board determines, based upon its consideration of all factors before it, that the public interest is best served by the rejection of the bid of the reliable and responsible bidder that submitted the lowest bid and the awarding of a contract to another reliable and responsible bidder in each category.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Theodore R. Lakey
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 9, 1994	May 23, 1994
Ayes: Supervisors Alioto Conroy Hallinan Kaufman Kennedy Leal Migden Shelley	Ayes: Supervisors Alioto Conroy Hallinan Kaufman Kennedy Leal Migden Shelley
Noes: Supervisors Bierman Hsieh Maher	Noes: Supervisors Bierman Hsieh Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Lum
Acting Clerk

File No.
97-94-24

JUN 2 1994
Date Approved

Frank M. Jordan
Mayor

PLEASE NOTE

ORD. 216-94 (cancelled)

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PLEASE NOTE
ORD. 217-94 (cancelled)

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FILE NO. 36-94-3 ORDINANCE NO. 218-94

(Zoning Changes -- Geary Boulevard, Stanyan Street and Beaumont Avenue)

ADOPTING CHANGES IN PROPERTY USE CLASSIFICATION AS AN AMENDMENT TO THE ZONING MAP OF THE CITY AND COUNTY OF SAN FRANCISCO OF PROPERTY LOCATED AT 3425-55 GEARY BOULEVARD AND 33 BEAUMONT AVENUE, LOTS 3 AND 35 IN ASSESSOR'S BLOCK 1085, FROM AN NC-3 (MODERATE-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT) TO AN RH-2 (HOUSE, TWO-FAMILY) DISTRICT (A PORTION OF LOT 35) AND OF PROPERTY LOCATED AT 33 BEAUMONT AVENUE FROM AN RH-2 DISTRICT TO AN NC-3 DISTRICT (A PORTION OF LOT 3) AND ADOPTING FINDINGS PURSUANT TO CITY PLANNING CODE SECTIONS 101.1 AND 302(c).

Be it ordained by the People of the City and County of San Francisco:

Section 1. The proposed rezoning is exempt from environmental review, General Rule Exclusion, State Guidelines, Section 15061(b)(3) and, pursuant to Section 302(c) of the City Planning Code, Part II, Chapter II of the San Francisco Municipal Code, the following change in property use classification, duly approved by Resolution No. 13615 of the City Planning Commission on December 16, 1993, is hereby adopted as an amendment to the Zoning Map of the City and County of San Francisco.

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Description of Property	Use District to be Superseded	Use District Hereby Approved
Beginning at a point on the west line of Beaumont Avenue distant thereon 100 feet south of its intersection with the south line of Geary Boulevard; thence westerly a distance of 100 feet; thence, at a right angle, southerly a distance of 25 feet; thence, at a right angle, easterly a distance of 100 feet; thence, at a right angle northerly along said westerly line of Beaumont Avenue a distance of 25 feet to the point of beginning, being the eastern "panhandle" portion of Lot 35 in Assessor's Block 1085 and adjacent street area to its center line.	NC-3 (Moderate-Scale Neighborhood Commercial) District	RH-2 (House, Two-Family) District

Description of Property	Use District to be Superseded	Use District Hereby Approved
Beginning at a point within Assessor's Block 1085 on the lot line which forms the northern boundary of Lot 3 therein and the southern boundary of the easterly "panhandle" end of Lot 35 therein, distant thereon 100 feet westerly of its	RH-2 (House, Two-Family) District	NC-3 (Moderate-Scale Neighborhood Commercial) District

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intersection with the west line of Beaumont Avenue; thence, westerly along said boundary lot line a distance of 12.5 feet; thence, at a right angle, southerly a distance of 25 feet; thence at a right angle, easterly a distance of 12.5 feet; thence, at a right angle, northerly a distance of 25 feet to the point of beginning, being the westerly portion of Lot 3 in Assessor's Block 1085.

Section 2. This Board of Supervisors adopts City Planning Commission Motion No. 13615 containing findings of consistency of the herein-adopted amendments to the Zoning Map of the City and County of San Francisco with the eight Priority Policies of Section 101.1 of the City Planning Code and findings that said Zoning Map amendments are required by the public necessity, convenience and general welfare pursuant to City Planning Code Section 302(c).

APPROVED AS TO FORM:
LOUISE H. RENNE
CITY ATTORNEY

By Judith A. Boyajian
Deputy City Attorney

RECOMMENDED:
CITY PLANNING COMMISSION

By L. R. Blazej
Lucian R. Blazej
Director of Planning

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 16, 1994	May 23, 1994
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Kaufman Kennedy Leal Maher Migden Shelley
Absent: Supervisor Kennedy	Absent: Supervisor Hsieh

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Joan Lum
Acting Clerk

File No.
36-94-3

JUN 2 1994
Date Approved

Frank M. Jordan
Mayor

FILE NO. 115-94-5 ORDINANCE NO. 219-94

(Sign Ordinance Text Changes)

AMENDING ARTICLE 6 OF THE SAN FRANCISCO PLANNING CODE BY AMENDING SECTIONS 607 AND ~~608~~ 608.8 THEREOF, TO ALLOW REPLACING AND MODIFICATION OF CERTAIN EXISTING NON-COMPLYING BUSINESS WALL SIGNS IN C-3 (DOWNTOWN COMMERCIAL) DISTRICTS AND THE MARKET STREET SPECIAL SIGN DISTRICT, AND ADOPTING FINDINGS PURSUANT TO CITY PLANNING CODE SECTION 101.1.

Note: Additions or substitutions are <u>underlined</u>; deletions are indicated by ((double parentheses)).

Section 1: The San Francisco Planning Code is hereby amended by amending Section 607 thereof to read as follows:

SEC. 607. COMMERCIAL AND INDUSTRIAL DISTRICTS. Signs in C and M districts, other than those signs exempted by Section 603 of this Code, shall conform to the following provisions:

(a) General Advertising Signs. No general advertising sign shall be permitted in any C-1 district.

(b) Roof Signs. No roof sign shall be permitted in any C-1 District. In all other C and M Districts no roof sign shall be permitted; except that a roof sign may be erected in such other C and M Districts if:

(1) The sign does not extend more than 25 feet above the roofline of the building on or over which the sign is placed; and

(2) All parts of the sign are within 25 feet of, and the sign is mounted at not more than a 45 degree angle from, a wall of a building the roofline of which is at least as high as the top of the sign; and

(3) Such wall forms a complete backdrop for the sign, as the sign is viewed from all points from which the sign is legible from a public street or alley.

The limitations upon roof signs in this Subsection 607(b) shall not apply to signs located within 200 feet of the park known as Union Square and facing said park.

(c) Wind signs. No wind sign shall be permitted in any C or M district.

(d) Moving parts. No sign shall have or consist of any moving, rotating, or otherwise physically animated part (as distinguished from lights that give the appearance of animation by flashing, blinking or fluctuating), except as follows:

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(1) Moving or rotating or otherwise physically animated parts may be used for the rotation of barber poles and the indication of time of day and temperature.

(2) In the case of a general advertising sign in C-2, C-3, C-M, M-1 and M-2 Districts, except signs located so as to be primarily viewed by persons traveling on any portion of a freeway, moving or rotating or otherwise physically animated parts may be used if such parts do not exceed a velocity of one complete cycle in a four-second period where such parts constitute less than 30 percent of the area of the sign or if, where such parts constitute a greater area of the sign, they do not exceed a velocity of one complete cycle in a four-second period and are stationary at least half of each eight-second period.

(e) Illumination. Any sign may be nonilluminated or indirectly or directly illuminated. Signs in C-3, C-M, M-1 and M-2 Districts shall not be limited in any manner as to type of illumination, but no sign in a C-1 or C-2 District shall have or consist of any flashing, blinking, fluctuating or otherwise animated light except in each of the following special districts, all as specifically designated as "Special Districts for Sign Illumination" on Sectional Map SSD of the Zoning Map of the City and County of San Francisco, described in Section 608 of this Code:

(1) In the C-2 area consisting of five blocks in the vicinity of Fisherman's Wharf;

(2) In the C-2 area in the vicinity of Van Ness Avenue from Golden Gate Avenue and Eddy Street to Sacramento Street, and Polk Street from Eddy Street to Geary Street, also known as the Automotive Special Use District;

(3) In the C-2 area in the vicinity of Stockton, Washington and Kearny Streets and Broadway, also known as Washington-Broadway Special Use District Number 1.

(f) Projection. No sign shall project more than 75 percent of the horizontal distance from the street property line to the curb line and in no case shall a sign project more than 10 feet beyond the street property line or building setback line in C-1 Districts, or 12 feet beyond the street property line or building setback line in any other C or M District.

(g) Height and Extension Above Roofline.

(1) **Signs Attached to Buildings.** No sign attached to a building shall extend or be located above the roofline of the building to which it is attached; except that up to 1/2 the area of a business sign attached to the street wall of a building may extend

above the roofline, up to the maximum height permitted for free standing signs in the same district or 10 feet above the roofline, whichever is the lesser. In addition, no sign attached to a building shall under any circumstances exceed the following maximum heights:

In C-1: 40 feet;
In C-3: 100 feet;
In all other C and M districts: 60 feet.

The 100-foot height limitation stated herein shall not apply to signs located within 200 feet of the park known as Union Square and facing said park.

The hundred foot height limitation stated herein shall not apply to the modification or replacement of any currently existing wall signs so long as such modified or replacement sign is generally in the same location and not larger in surface area and projection that existing signs being modified or replaced. Such signs may contain letters, numbers, a logo, service mark and/or trade mark and may be non-illuminated or indirectly illuminated.

(2) **Freestanding Signs.** The maximum height for free standing signs shall be as follows:

In C-1: 24 feet;
In C-2: 36 feet;
In all other C and M Districts: 40 feet.

(h) **Special Standards for Automobile Service Stations.** For automobile service stations, only the following signs are permitted, subject to the standards in this Subsection (h) and to all other standards in this Section 607.

(1) A maximum of two oil company signs, which shall not extend more than 10 feet above the roofline if attached to a building, or exceed the maximum height permitted for freestanding signs in the same district if freestanding. The area of any such sign shall not exceed 180 square feet, and along each street frontage all parts of such a sign or signs that are within 10 feet of the street property line shall not exceed 80 square feet in area. No such sign shall project more than five feet beyond any street property line or building setback line. The areas of other permanent and temporary signs as covered in Paragraph 607(h)2 below shall not be included in the calculation of the areas specified in this Paragraph.

(2) Other permanent and temporary business signs, not to exceed 30 square feet in area for each such sign or a total of 180 square feet for all such signs on the premises. No such sign shall

extend above the roofline if attached to a building, or in any case project beyond any street property line or building setback line.

(3) General advertising signs meeting the provisions of this Section 607.

(Amended by Ord. 64-77, App. 2/18/77)
(Amended by Ord. 69-87, App. 3/13/87)
(Amended by Ord. 537-88, App. 12/1/88)

SEC. 607.1. NEIGHBORHOOD COMMERCIAL DISTRICTS. Signs located in Neighborhood Commercial Districts shall be regulated as provided herein, except for those signs which are exempted by Section 603 of this Code. In the event of conflict between the provisions of Section 607.1 and other provisions of Article 6, the provisions of Section 607.1 shall prevail in Neighborhood Commercial Districts, provided that with respect to properties also located in the Upper Market Special Sign District, the provisions of Section 608.10 of this Code shall prevail.

(a) Purposes and Findings. In addition to the purposes stated in Section 101 and 601 of this Code, the following purposes apply to Neighborhood Commercial Districts. These purposes constitute findings that form a basis for regulations and provide guidance for their application.

(1) As Neighborhood Commercial districts change, they need to maintain their attractiveness to customers and potential new businesses alike. Physical amenities and a pleasant appearance will profit both existing and new enterprises.

(2) The character of signs and other features projecting from buildings is an important part of the visual appeal of a street and the general quality and economic stability of the area. Opportunities exist to relate these signs and projections more effectively to street design and building design. These regulations establish a framework that will contribute toward a coherent appearance of Neighborhood Commercial Districts.

(3) Neighborhood Commercial Districts are typically mixed use areas with commercial units on the ground or lower stories and residential uses on upper stories. Although signs and other advertising devices are essential to a vital commercial district, they should not be allowed to interfere with or diminish the livability of residential units within a Neighborhood Commercial District or in adjacent residential districts.

(4) The scale of most Neighborhood Commercial Districts as characterized by building height, bulk, and appearance, and the width of streets and sidewalks differs from that of other

commercial and industrial districts. Sign sizes should relate and be compatible with the surrounding district scale.

(b) Signs or Sign Features Not Permitted in NC Districts. Roof signs as defined in Section 602.16 of this Code, wind signs as defined in Section 602.22 of this Code, and signs on canopies, as defined in Section 136.1(b) of this Code, are not permitted in NC Districts. No sign shall have or consist of any moving, rotating, or otherwise physically animated part, or lights that give the appearance of animation by flashing, blinking, or fluctuating, except as permitted by Section 607.1(i) of this Code. In addition, all signs or sign features not otherwise specifically regulated in this Section 607.1 shall be prohibited.

(c) Identifying Signs. Identifying signs, as defined in Section 602.9, shall be permitted in all Neighborhood Commercial Districts subject to the limits set forth below.

(1) One sign per lot shall be permitted and such sign shall not exceed 20 square feet in area. The sign may be a freestanding sign, if the building is recessed from the street property line, or may be a wall sign or a projecting sign. The existence of a freestanding identifying sign shall preclude the erection of a freestanding business sign on the same lot. A wall or projecting sign shall be mounted on the first story level; a freestanding sign shall

not exceed 15 feet in height. Such sign may be nonilluminated, indirectly illuminated, or directly illuminated.

(2) One sign identifying a shopping center or shopping mall shall be permitted subject to the conditions in Paragraph 1, but shall not exceed 30 square feet in area. Any sign identifying a permitted use listed in zoning categories .40 through .70 in Section 703.2(a) in an NC District shall be considered a business sign and subject to Section 607.1(f) of this Code. Such signs may be nonilluminated, indirectly illuminated, or directly illuminated during the hours of operation of the businesses in the shopping center or shopping mall.

(d) **Nameplates.** One nameplate, as defined in Section 602.12 of this Code, not exceeding an area of two square feet, shall be permitted for each noncommercial use in NC Districts.

(e) **General Advertising Signs.** General advertising signs, as defined in Section 602.7, shall be permitted in Neighborhood Commercial Districts as provided for below. In NC Districts where such signs are permitted, general advertising signs may be either a wall sign or freestanding, provided that the surface of any freestanding sign shall be parallel to and within three feet of an adjacent building wall. In either case, the building wall shall form a complete backdrop for the sign, as the sign is viewed from all points from a street or alley from

which it is legible. No general advertising sign shall be permitted to cover part or all of any windows. Any extension of the copy beyond the rectangular perimeter of the sign shall be included in the calculation of the sign, as defined in Section 602.1(a) of this Code.

(1) **NC-2 and NC-S Districts.** No more than one general advertising sign shall be permitted per lot or in NC-S Districts, per district. Such sign shall not exceed 72 square feet in area nor exceed 12 feet in height. Such sign may be either nonilluminated or indirectly illuminated.

(2) **NC-3 Districts and Broadway Districts.** No more than one general advertising sign not exceeding 300 square feet or two general advertising signs of 72 square feet each shall be permitted per lot. The height of any such sign shall not exceed 24 feet, or the height of the wall to which it is attached, or the height of the lowest of any residential window sills on the wall to which it is attached, whichever is lower, if a wall sign, or the adjacent wall or the top of the adjacent wall if a freestanding sign, whichever is lower.

(A) **NC-3 Districts.** Signs may be either nonilluminated or indirectly illuminated.

(f) **Business Signs.** Business signs, as defined in Section 602.3 shall be permitted in all Neighborhood Commercial Districts subject to the limits set forth below.

(1) **NC-1 Districts.**

(A) **Window Signs.** The total area of all window signs, as defined in Section 602.1(b), shall not exceed 1/3 the area of the window on or in which the signs are located. Such signs may be nonilluminated, indirectly illuminated, or directly illuminated.

(B) **Wall Signs.** The area of all wall signs shall not exceed one square foot per square foot of street frontage occupied by the business measured along the wall to which the signs are attached, or 50 square feet for each street frontage, whichever is less. The height of any wall sign shall not exceed 15 feet or the height of the wall to which it is attached. Such signs may be nonilluminated or indirectly illuminated; or during business hours, may be directly illuminated.

(C) **Projecting Signs.**

The number of projecting signs shall not exceed one per business. The area of such sign, as defined in Section 602.1(a), shall not exceed 24 square feet. The height of such sign shall not exceed

15 feet or the height of the wall to which it is attached. No part of the sign shall project more than 75 percent of the horizontal distance from the street property line to the curb line, or six feet, six inches, whichever is less. The sign may be nonilluminated or indirectly illuminated, or during business hours, may be directly illuminated.

(D) Signs on Awnings. Sign copy may be located on permitted awnings in lieu of wall signs and projecting signs. The area of such sign copy as defined in Section 602.1(c) shall not exceed 20 square feet. Such sign copy may be nonilluminated or indirectly illuminated.

(2) **NC-2, NC-S, Broadway, Castro Street, Inner Clement Street, Outer Clement Street, Upper Fillmore Street, Haight Street, Hayes-Gough, Upper Market Street, North Beach, Polk Street, Sacramento Street, Union Street, Valencia Street, 24th Street-Mission, 24th Street-Noe Valley, and West Portal Avenue Neighborhood Commercial Districts.**

(A) **Window Signs.** The total area of all window signs, as defined in Section 602.1(b), shall not exceed one-third the area of the window on or in which the signs are located. Such signs may be nonilluminated, indirectly illuminated, or directly illuminated.

(B) Wall Signs. The area of all wall signs shall not exceed 2 square feet per foot of street frontage occupied by the use measured along the wall to which the signs are attached, or 100 square feet for each street frontage, whichever is less. The height of any wall sign shall not exceed 24 feet, or the height of the wall to which it is attached, or the height of the lowest of any residential window sill on the wall to which the sign is attached, whichever is lower. Such signs may be nonilluminated, indirectly, or directly illuminated.

(C) Projecting Signs. The number of projecting signs shall not exceed one per business. The area of such sign, as defined in Section 602.1(a), shall not exceed 24 square feet. The height of such sign shall not exceed 24 feet, or the height of the wall to which it is attached, or the height of the lowest of any residential window sill on the wall to which the sign is attached, whichever is lower. No part of the sign shall project more than 75 percent of the horizontal distance from the street property line to the curbline, or 6 feet, 6 inches, whichever is less. Such signs may be nonilluminated or indirectly illuminated; or during business hours, may be directly illuminated.

(D) Signs on Awnings and Marquees.

Sign copy may be located on permitted awnings or marquees in lieu of projecting signs. The area of such sign copy as defined in Section 602.1(c) shall not exceed 30 square feet. Such sign copy may be

nonilluminated or indirectly illuminated; except that sign copy on marquees for movie theaters or places of entertainment may be directly illuminated during business hours.

(E) Freestanding Signs and Sign Towers. With the exception of automotive gas and service stations, which are regulated under Paragraph 607.1(f)4, one freestanding sign or sign tower per lot shall be permitted in lieu of a projecting sign, if the building or buildings are recessed from the street property line. The existence of a freestanding business sign shall preclude the erection of a freestanding identifying sign on the same lot. The area of such freestanding sign or sign tower, as defined in Section 602.1(a), shall not exceed 20 square feet nor shall the height of the sign exceed 24 feet. No part of the sign shall project more than 75 percent of the horizontal distance from the street property line to the curbline, or six feet, whichever is less. Such signs may be nonilluminated or indirectly illuminated; or during business hours, may be directly illuminated.

(3) **NC-3 Neighborhood Commercial District.**

(A) Window Signs. The total area of all window signs, as defined in Section 602.1(b), shall not exceed 1/3 the area of the window on or in which the signs are located. Such signs may be nonilluminated, indirectly illuminated, or directly illuminated.

(B) Wall Signs. The area of all wall signs shall not exceed three square feet per foot of street frontage occupied by the use measured along the wall to which the signs are attached, or 150 square feet for each street frontage, whichever is less. The height of any wall sign shall not exceed 24 feet, or the height of the wall to which it is attached, or the height of the lowest of any residential window sill on the wall to which the sign is attached, whichever is lower. Such signs may be nonilluminated, indirectly, or directly illuminated.

(C) Projecting Signs. The number of projecting signs shall not exceed one per business. The area of such sign, as defined in Section 602.1(a), shall not exceed 32 square feet. The height of the sign shall not exceed 24 feet, or the height of the wall to which it is attached, or the height of the lowest of any residential window sill on the wall to which the sign is attached, whichever is lower. No part of the sign shall project more than 75 percent of the horizontal distance from the street property line to the curbline, or six feet six inches, whichever is less. Such signs may be nonilluminated, indirectly, or directly illuminated.

(D) Sign Copy on Awnings and Marquees. Sign copy may be located on permitted awnings or marquees in lieu of projecting signs. The area of such sign copy, as defined in Section 602.1(c), shall not exceed 40 square feet. Such sign copy may be nonilluminated or

indirectly illuminated; except that sign copy on marquees for movie theaters or places of entertainment may be directly illuminated during business hours.

(E) Freestanding Signs and Sign Towers. With the exception of automotive gas and service stations, which are regulated under Paragraph 607.1(f)4 of this Code, one freestanding sign or sign tower per lot shall be permitted in lieu of a projecting sign, if the building or buildings are recessed from the street property line. The existence of a freestanding business sign shall preclude the erection of a freestanding identifying sign on the same lot. The area of such freestanding sign or sign tower, as defined in Section 602.1(a), shall not exceed 30 square feet nor shall the height of the sign exceed 24 feet. No part of the sign shall project more than 75 percent of the horizontal distance from the street property line to the curbline, or six feet, whichever is less. Such signs may be nonilluminated or indirectly illuminated; or during business hours, may be directly illuminated.

(4) **Special Standards for Automotive Gas and Service Stations.** For automotive gas and service stations in Neighborhood Commercial Districts, only the following signs are permitted, subject to the standards in this Paragraph (f)(4) and to all other standards in this Section 607.1.

(A) A maximum of two oil company signs, which shall not extend more than 10 feet above the roofline if attached to a building, or exceed the maximum height permitted for freestanding signs in the same district is freestanding. The area of any such sign shall not exceed 180 square feet, and along each street frontage, all parts of such a sign or signs that are within 10 feet of the street property line shall not exceed 80 square feet in area. No such sign shall project more than five feet beyond any street property line. The areas of other permanent and temporary signs as covered in Subparagraph (B) below shall not be included in the calculation of the area specified in this Subparagraph.

(B) Other permanent and temporary business signs, not to exceed 30 square feet in area for each such sign or a total of 180 square feet for all such signs on the premises. No such sign shall extend above the roofline if attached to a building, or in any case project beyond any street property line or building setback line.

(g) Temporary Signs. One temporary nonilluminated or indirectly illuminated sale or lease sign or nonilluminated sign of persons and firms connected with work on buildings under actual construction or alteration, giving their names and information pertinent to the project per lot, shall be permitted. Such sign shall not exceed 50 square feet and shall conform to all regulations of Subsection 607.1(f) for business signs in the respective NC District

in which the sign is to be located. All temporary signs shall be promptly removed upon completion of the activity to which they pertain.

(h) Special Sign Districts. Additional controls apply to certain Neighborhood Commercial Districts that are designated as Special Sign Districts. Special Sign Districts are described within Sections 608.1 through 608.11 of this Code and with the exception of Sections 608.1, 608.2 and 608.11, their designations, locations and boundaries are provided on Sectional Map SSD of the Zoning Map of the City and County of San Francisco.

(i) Restrictions on Illumination. Signs in Neighborhood Commercial Districts shall not have nor consist of any flashing, blinking, fluctuating or otherwise animated light except those moving or rotating or otherwise physically animated parts used for rotation of barber poles and the indication of time of say and temperature, and in the following special districts, all specifically designated as "Special Districts for Sign Illumination" on Sectional Map SSD of the Zoning Map of the City and County of San Francisco.

(1) **Broadway Neighborhood Commercial District.** Along the main commercial frontage of Broadway between west of Columbus Avenue and Osgood Place.

(2) **NC-3.** NC-3 District along Lombard Street from Van Ness Avenue to Broderick Street.

(j) Other Sign Requirements. Within Neighborhood Commercial Districts, the following additional requirements shall apply:

(1) **Public Areas.** No sign shall be placed upon any public street, alley, sidewalk, public plaza or right-of-way , or in any portion of a transit system, except such projecting signs as are otherwise permitted by this Code and signs, structures, and features as are specifically approved by the appropriate public authorities under applicable laws and regulations not inconsistent with this Code and under such conditions as may be imposed by such authorities.

(2) **Maintenance.** Every business sign pertaining to an active establishment shall be adequately maintained in its appearance. When the activity for which the business sign has been posted has ceased operation for more than 90 days within the Chinatown Mixed Use Districts, all signs pertaining to that business activity shall be removed after that time.

(3) **Temporary Signs.** The provisions of Section 607.1(g) of this Code shall apply.

(4) Special Standards for Automotive Gas and Service Stations. The provisions of Section 607.1(f)(4) of this Code shall apply.

(Added by Ord. 69-87, App. 3/13/87; amended by Ord. 445-87, App. 11/12/87)

SEC. 607.2. MIXED USE DISTRICTS.

Signs located in Mixed Use districts shall be regulated as provided herein, except for those signs which are exempted by Section 603. Signs not specifically regulated in this Section 607.2 shall be prohibited. In the event of conflict between the provisions of Section 607.2 and other provisions of Article 6, the provisions of Section 607.2 shall prevail in Mixed Use districts.

(a) Purposes and Findings. In addition to the purposes stated in Section 101 and 601 of this Code, the following purposes apply to Mixed Use districts. These purposes constitute findings that form a basis for regulations and provide guidance for their application.

(1) As Mixed Use Districts change, they need to maintain their attractiveness to customers and potential new businesses

alike. Physical amenities and a pleasant appearance will profit both existing and new enterprises.

(2) The character of signs and other features projecting from buildings is an important part of the visual appeal of a street and the general quality and economic stability of the area. Opportunities exist to relate these signs and projections more effectively to street design and building design. These regulations establish a framework that will contribute toward a coherent appearance of Mixed Use Districts.

(3) Mixed Use Districts are typically mixed-use areas with commercial units on the ground or lower stories and residential uses on upper stories or have housing and commercial and industrial activities interspersed. Although signs and other advertising devices are essential to a vital commercial district, they should not be allowed to interfere with or diminish the livability of residential units within a Mixed Use District or in adjacent residential districts.

(4) The scale of most Mixed Use Districts as characterized by building height, bulk, and appearance, and the width of streets and sidewalks differs from that of other commercial and industrial districts. Sign sizes should relate and be compatible with the surrounding district scale.

(b) **Signs or Sign Features Not Permitted in Mixed Use Districts.** Roof signs as defined in Section 602.16 of this Code, wind signs as defined in Section 602.21 of this Code, and signs on canopies, as defined in Section 136.1(b) of this Code are not permitted in Mixed Use Districts. No sign shall have or consist of any moving, rotating, or otherwise physically animated part, or lights that give the appearance of animation by flashing, blinking, or fluctuating. In addition, all signs or sign features not otherwise specifically regulated in this Section 607.2 shall be prohibited.

(c) **Identifying Signs.** Identifying Signs, as defined in Section 602.9, shall be permitted in all Mixed Use Districts subject to the limits set forth below.

(1) One sign per lot shall be permitted and such sign shall not exceed 20 square feet in area. The sign may be a freestanding sign, if the building is recessed from the street property line, or may be a wall sign or a projecting sign. The existence of a freestanding identifying sign shall preclude the erection of a freestanding business sign on the same lot. A wall or projecting sign shall be mounted on the first story level; a freestanding sign shall not exceed 15 feet in height. Such sign may be nonilluminated, indirectly illuminated, or directly illuminated.

(2) One sign identifying a shopping center or shopping mall shall be permitted subject to the conditions in Paragraph 1, but shall not exceed 30 square feet in area. Such signs may be nonilluminated, indirectly illuminated, or directly illuminated during the hours of operation of the businesses in the shopping center or shopping mall.

o (d) **Nameplate.** One nameplate, as defined in Section 602.12 of this Code, not exceeding as area of two square feet, shall be permitted for each non-commercial use in Mixed Use Districts.

(e) **General Advertising Signs.** General advertising signs, as defined in Section 602.7, shall be permitted in Mixed Use Districts as provided for below. In Mixed Use Districts where such signs are permitted, general advertising signs may be either a wall sign or freestanding, provided that the surface of any freestanding sign shall be parallel to and within 3 feet of an adjacent building wall. In either case, the building wall shall form a complete backdrop for the sign, as the sign is viewed from all points from a street or alley from which it is legible. oNo general advertising sign shall be permitted to cover part or all of any windows. Any extension of the copy beyond the rectangular perimeter of the sign shall be included in the calculation of the sign area, as defined in Section 602.1(a) of this Code.

(1) **Chinatown Residential Neighborhood Commercial District.** No more than one general advertising sign shall be permitted per lot. Such sign shall not exceed 72 square feet in area nor exceed 12 feet in height. Such sign may be either nonilluminated or indirectly illuminated.

(2) **Chinatown Visitor Retail, Chinatown Community Business, and South of Market Mixed Use Districts, exclusive of the South of Market Special General Advertising Sign Districts.** No more than one general advertising sign not exceeding 300 square feet in area or two general advertising signs of 72 square feet each shall be permitted per lot. The height of any such wall sign shall not exceed 24 feet, or the height of the wall to which it is attached, or the height of the lowest of any residential window sills on the wall to which it is attached, whichever is lower. If the advertising sign is a free standing sign, the height shall not exceed 24 feet or the height of the adjacent wall whichever is lower.

(A) Signs may be either nonilluminated or indirectly or directly illuminated.

(3) **South of Market Special General Advertising Sign District.** Within the area designated as a South of Market Special General Advertising Sign District, as described in Section 821 of this Code and shown on Sectional Map 4SU of the Zoning Map, the following

provisions shall apply to general advertising signs: (1) No more than two general advertising signs not to exceed 300 square feet in area or one general advertising sign not to exceed 672 square feet in area shall be permitted per lot; (2) No more than one double or multiple-sided sign shall be permitted per lot; and (3) Roof signs shall be permitted and shall not exceed the standards established by Section 607(b) of this Code for roof signs lying within M Districts.

(f) **Business Signs.** Business signs, as defined in Section 602.3 shall be permitted in all Mixed Use Districts subject to the limits set forth below.

(1) **Chinatown Residential Neighborhood Commercial District**

(A) **Window Signs.** The total area of all window signs, as defined in Section 602.1(b), shall not exceed 1/3 the area of the window on or in which the signs are located. Such signs may be nonilluminated, indirectly illuminated, or directly illuminated.

(B) **Wall Signs.** The area of all wall signs shall not exceed one square foot per foot of street frontage occupied by the business measured along the wall to which the signs are attached, or 50 square feet for each street frontage, whichever is less; provided, however, that in no case shall the wall sign or combination of wall

signs cover more than 75% of the surface of any wall, excluding openings. The height of any wall sign shall not exceed 15 feet or the height of the wall to which it is attached. Such signs may be nonilluminated or indirectly illuminated; or during business hours, may be directly illuminated.

(C) **Projecting Signs.** The number of projecting signs shall not exceed one per business. The area of such sign or signs combined when there are multiple signs, as defined in Section 602.1(a), shall not exceed 24 square feet. The height of such sign shall not exceed 15 feet or the height of the wall to which it is attached. No part of the sign shall project more than 75 percent of the horizontal distance from the Street property line to the curb line, or 6 feet 6 inches, whichever is less. The sign may be nonilluminated or indirectly illuminated, or during business hours, may be directly illuminated.

(D) **Signs on Awnings.** Sign copy may be located on permitted awnings in lieu of wall signs and projecting signs. The area of such sign copy as defined in Section 602.1(c) shall not exceed 20 square feet. Such sign copy may be nonilluminated or indirectly illuminated.

(2) **Chinatown Visitor Retail District**

(A) **Window Signs.** The total area of all window signs, as defined in Section 602.1(b), shall not exceed one-third the area of the window on or in which the signs are located. Such signs may be nonilluminated, indirectly illuminated, or directly illuminated.

(B) **Wall Signs.** The area of all wall signs shall not exceed 2 square feet per foot of street frontage occupied by the use measured along the wall to which the signs are attached, or 100 square feet for each street frontage, whichever is less. The height of any wall sign shall not exceed 24 feet, or the height of the wall to which it is attached, or the height of the lowest of any residential window sill on the wall to which the sign is attached, whichever is lower. Such signs may be nonilluminated, indirectly, or directly illuminated.

(C) **Projecting Signs.** The number of projecting signs shall not exceed one per business. The area of such sign, as defined in Section 602.1(a), shall not exceed 24 square feet. The height of such sign shall not exceed 24 feet, or the height of the wall to which it is attached, or the height of the lowest of any residential window sill on the wall to which the sign is attached, whichever is lower. No part of the sign shall project more than 75 percent of the horizontal distance from the street property line to the curb line, or six feet six inches, whichever is less. Such signs may be

nonilluminated or indirectly illuminated; or during business hours, may be directly illuminated.

(D) **Signs on Awnings and Marquees.** Sign copy may be located on permitted awnings or marquees in lieu of projecting signs. The area of such sign copy as defined in Section 602.1(c) shall not exceed 30 square feet. Such sign copy may be nonilluminated or indirectly illuminated, except that sign copy on marquees for movie theaters or places of entertainment may be directly illuminated during business hours.

(E) **Freestanding Signs and Sign Towers.** One freestanding sign or sign tower per lot shall be permitted in lieu of a projecting sign, if the building or buildings are recessed from the street property line. The existence of a freestanding business sign shall preclude the erection of a freestanding identifying sign on the same lot. The area of such freestanding sign or sign tower, as defined in Section 602.1(a), shall not exceed 20 square feet nor shall the height of the sign exceed 24 feet. No part of the sign shall project more than 75 percent of the horizontal distance from the street property line to the curb line, or six feet, whichever is less. Such signs may be nonilluminated or indirectly illuminated; or during business hours, may be directly illuminated.

(3) **Chinatown Community Business District and South of Market Mixed Use Districts.**

(A) **Window Signs.** The total area of all window signs, as defined in Section 602.1(b), shall not exceed one-third the area of the window on or in which the signs are located. Such signs may be nonilluminated, indirectly illuminated, or directly illuminated.

(B) **Wall Signs.** The area of all wall signs shall not exceed 3 square feet per foot of street frontage occupied by the use measured along the wall to which the signs are attached, or 150 square feet for each street frontage, whichever is less; provided, however, that in no case shall the wall sign or combination of wall signs cover more than 75 percent of the surface of any wall, excluding openings. The height of any wall sign shall not exceed 24 feet, or the height of the wall to which it is attached, or the height of the lowest of any residential window sill on the wall to which the sign is attached, whichever is lower. Such signs may be nonilluminated, indirectly, or directly illuminated.

(C) **Projecting Signs.** The number of projecting signs shall not exceed one per business. The area of such sign or signs combined when there are multiple signs, as defined in Section 602.1(a), shall not exceed 32 square feet. The height of the sign shall not exceed 24 feet, or the height of the wall to which it is attached, or

the height of the lowest of any residential window sill on the wall to which the sign is attached, whichever is lower. No part of the sign shall project more than 75 percent of the horizontal distance from the street property line to the curb line, or six feet six inches, whichever is less. Such signs may be nonilluminated, indirectly, or directly illuminated.

(D) **Sign Copy on Awnings and Marquees**. Sign copy may be located on permitted awnings or marquees in lieu of projecting signs. The area of such sign copy, as defined in Section 602.1(c), shall not exceed 40 square feet. Such sign copy may be nonilluminated or indirectly illuminated; except that sign copy on marquees for movie theaters or places of entertainment may be directly illuminated during business hours.

(E) **Freestanding Signs and Sign Towers.** One freestanding sign or sign tower per lot shall be permitted in lieu of a projecting sign if the building or buildings are recessed from the street property line. The existence of a freestanding business sign shall preclude the erection of a freestanding identifying sign on the same lot. The area of such freestanding sign or sign tower, as defined in Section 602.1(a), shall not exceed 30 square feet nor shall the height of the sign exceed 24 feet. No part of the sign shall project more than 75 percent of the horizontal distance from the street property line to the curb line, or six feet, whichever is less. Such

signs may be nonilluminated or indirectly illuminated, or during business hours, may be directly illuminated.

(g) **Special Sign Districts**. Additional controls apply within certain Mixed Use Districts that are designated as Special Sign Districts. The designations, locations, and boundaries of these Special Sign Districts are provided on Sectional Map SSD of the Zoning Map of the City and County of San Francisco, and are described within Sections 608.1 through 608.10. of this Code.

(h) **Special Districts for Sign Illumination**. Signs in Mixed Use districts shall not have nor consist of any flashing, blinking, fluctuating or otherwise animated light except in the following special districts, all specifically designated as "Special Districts for Sign Illumination" on Sectional Map SSD of the Zoning Map of the City and County of San Francisco, and described in Section 607(e) of this Code.

(1) **Broadway District.** Along the main commercial frontage of Broadway between Wayne and Osgood.

(i) **Other Sign Requirements.** Within Mixed Use Districts, the following additional requirements shall apply:

(1) **Public Areas.** No sign shall be placed upon any public street, alley, sidewalk, public plaza or right-of-way, or in any

portion of a transit system, except such projecting signs as are otherwise permitted by this Code and signs, structures, and features as are specifically approved by the appropriate public authorities under applicable laws and regulations not inconsistent with this Code and under such conditions as may be imposed by such authorities or posted pursuant to the Police Code.

(2) **Maintenance.** Every business sign pertaining to an active establishment shall be adequately maintained in its appearance. When the activity for which the business sign has been posted has ceased operation for more than 90 days within the Chinatown Mixed Use Districts, all signs pertaining to that business activity shall be removed after that time.

(Added by Ord. 131-87, App. 4/24/87)

(3) **Temporary Signs.** The provisions of Section 607.1(g) of this Code shall apply.

(4) **Special Standards for Automotive Gas and Service Stations.** The provisions of Section 607.1(f)(4) of this Code shall apply.

(Added by Ord. 131-87, App. 4/24/87; Ord. 115-90, App. 4/6/90)

SEC. 607.3 VAN NESS SPECIAL SIGN DISTRICT.

(a) **General.** Signs located within the Van Ness Special Use district with the exception of the Civic Center Special Sign District as shown in Sectional Map SSD, shall be regulated by the provisions of Article 6 and those set forth below, except for those signs which are exempt pursuant to Section 603. In the event of conflict between the provisions of this Section and those of Article 6, the provisions of this Section shall prevail in the Van Ness Special Use district.

(b) **Purposes.** In addition to the purposes stated in Section 101 and 601 of this Code, the following purposes apply to the Van Ness Special Use district. These purposes constitute findings that form a basis for regulations and provide guidance for their application.

(1) As Van Ness Avenue changes from an automotive oriented area to a mixed-use, predominantly residential district, it needs to maintain its attractiveness to business customers and residents alike. Physical amenities and a pleasant appearance will benefit both existing and new enterprises.

(2) The character of signs and other features projecting from buildings is an important part of the visual appeal of a street and the general quality and economic stability of the area. Opportunities exist to relate these signs and projections more

effectively to street design and building design. These regulations establish a framework that will contribute toward a coherent appearance of the Van Ness Special Use District.

(3) The Van Ness Special Use district is intended to be a mixed-use area with commercial units on the ground or lower stories and residential uses on upper stories. Although signs and other advertising devices are essential to a vital commercial district, they should not be allowed to interfere with or diminish the livability of residential units within the Van Ness Special Use District or in adjacent residential districts.

(4) The scale of the Van Ness Special Use district as characterized by building height, bulk, and appearance, and by the width of streets and sidewalks, differs from that of other commercial and industrial districts. Sign sizes should relate and be compatible with the surrounding district scale.

(c) **Controls.**

(1) Signs or Sign Features Not Permitted in the Van Ness Special Use District. Roof signs as defined in Section 602.16 are not permitted.

(2) Identifying Signs Identifying signs, as defined in Section 602.9, shall be permitted in the Van Ness Special Use District subject to the limits set forth below.

(A) An identifying sign shall not exceed 20 square feet in area. The sign may be a wall sign or a projecting sign. A wall sign or projecting sign shall be mounted at or below the level of the lowest residential window sill or 25 feet, whichever is lower. Such sign may be non-illuminated, indirectly illuminated, or directly illuminated. For the purposes of this section, "wall signs" shall be defined as signs placed flat against a building wall with its copy parallel to the wall to which it is attached and not protruding more than the thickness of the sign cabinet.

(B) One name plate, as defined in Section 602.12, not exceeding an area of six square feet, shall be permitted for each resident and occupant of the building.

(3) **General Advertising Signs.** General advertising signs, as defined in Section 602.7, shall be permitted in the Van Ness Special Use districts as provided below. General advertising signs may be either a wall sign or a freestanding sign, provided that the surface of any freestanding sign shall be parallel to and within 3 feet of an adjacent building wall. The building wall shall form a complete backdrop for the wall sign, as the sign is viewed from those points on

a street or alley from which it is legible. Signs painted directly on a building wall shall be considered general advertising signs for the purposes of this Section. No general advertising sign shall be permitted to cover part or all of any window. No more than one general advertising sign of 300 square feet or two general advertising signs of 72 square feet each shall be permitted per lot. The height of any such sign shall not exceed 36 feet, or the height of the wall to which it is attached or before which it is placed, or the height of the lowest residential window sill located in the wall to which the sign is attached or before which it is placed, whichever is lowest.

Signs may be either non-illuminated, directly or indirectly illuminated. All general advertising signs shall conform to the provisions of Section 5408 of the California Business and Professional Code, including the requirement that no advertising display shall be placed within 100 feet from another advertising display on the same side of Van Ness Avenue.

(4) **Business Signs.** Business Signs, as defined in Section 602.3, shall be permitted subject to the following restrictions:

(A) Window Signs. The total area of any window sign, as defined in Section 602.1(b), shall not exceed 1/3 the area of the window on or in which the sign is located. Such signs may be

non-illuminated, indirectly illuminated, or directly illuminated. For purposes of this Section, window signs shall be defined as signs placed directly on the surface of the glass inside the building.

(B) Wall signs. The area of any wall sign shall not exceed three square feet per foot of street frontage occupied by the building on which the sign is located. The height of any wall sign shall not exceed 45 feet, or the height of the wall to which it is attached, or the height of the lowest of any residential windowsill on the wall to which the sign is attached, whichever is lower. Such signs may be non-illuminated, indirectly, or directly illuminated.

(C) Projecting Signs. The area of any projecting sign shall not exceed 36 square feet. The height of the sign shall not exceed 24 feet, or the height of the wall to which it is attached, or the height of the lowest of any residential window sill on the wall to which the sign is attached, whichever is lowest. No part of the sign shall project more than 6 feet from the property line. Such signs may be non-illuminated, indirectly, or directly illuminated.

(D) Signs on Awnings and Marquees. Sign copy may be located on permitted awnings and marquees in lieu of projecting signs. The area of such sign copy shall not exceed 60 square feet. Such sign copy may be non-illuminated, indirectly illuminated or directly illuminated.

(E) Freestanding Signs and Sign Towers. Freestanding signs and sign towers shall not be permitted in the Van Ness Special Sign District except as provided in Section 606.(c)(1).

(F) Automotive Gas and Service Stations. For automotive gas and service stations, only the following signs are permitted:

(i) A maximum of two oil company signs, which shall not extend more than 10 feet above the roof line if attached to a building, or exceed 24 feet in height if free standing. The area of any such sign shall not exceed 180 square feet. Along each street frontage, all parts of such a sign or signs that are within 10 feet of the street property line shall not exceed 80 square feet in area. No such sign shall project more than five feet beyond any property line. The areas of other permanent and temporary signs as covered in Sub-paragraph (ii) below shall not be included in the calculation of the areas specified in this Subsection.

(ii) Other permanent and temporary signs customarily incidental to the service station business, not to exceed 30 square feet in area for each such sign or a total of 180 square feet for all such signs on the premises. No such sign shall extend above the roof line if attached to a building, or in any case project beyond any street property line or building set-back line.

(5) **Temporary Signs.** Temporary signs permitted in the Van Ness Special Use District are sale or lease signs as defined in Section 602.17 and construction signs giving the names of persons and firms connected with work on buildings under actual construction or alteration and information pertinent to the project. One sign per lot not exceeding 50 square feet shall be permitted and conform to all regulations of set forth in Section 607(f). All temporary signs shall be promptly removed upon removal of the property from the market or completion of the construction activity.

(6) **Maintenance and Removal of Signs.** Every business and identifying sign shall be adequately maintained in its appearance, or else removed or obscured. When the business, service, industry, use or activity for which a business sign or identifying sign has been erected has ceased operation on the premises, all such signs pertaining to such establishment shall be removed or obscured within 180 days.

(7) **Additional Controls.** Additional sign controls apply to certain areas of the Van Ness Special Use District designated as Special Sign Districts. Special Sign Districts are described within Sections 608.1 through 608.11 of this Code and, with the exception of Sections 608.1, 608.2 and 608.11, their designations, locations and boundaries are provided on Sectional Map SSD of the Zoning Map of the City and County of San Francisco.

(8) Automotive sales and service signs within the Automotive Special Use District which have all required permits but which do not comply with the controls for new signs established in Section 607.3 of this Code shall be permitted to remain as nonconforming uses and shall be permitted to modify the signage text to describe new automobile ownerships and dealerships that may occur from time to time.

(Added by Ord. 537-88, App. 12/16/88)

(Amended by Ord. 79-89, App. 3/24/89)

SEC. 607.4 NORTH OF MARKET RESIDENTIAL SPECIAL USE DISTRICT.

Signs located in the RC-4 portion of the North of Market Residential Special Use District shall be regulated as provided herein, except for those signs which are exempted by Section 603 of this Code.

(a) **Business Signs.** Business signs, as defined in Section 602.3, shall be permitted subject to the regulations set forth below.

(1) **Window Signs.** The total area of all window signs, as defined in Section 602.1(b), shall not exceed 1/3 of the area of the window on or in which the signs are located. Such signs may be nonilluminated, indirectly illuminated, or directly illuminated.

(2) **Wall Signs.** The area of all wall signs shall not exceed three square feet per foot of street frontage occupied by the use measured along the wall to which the signs are attached, or 150 square feet for each street frontage, whichever is less. The height of any wall sign shall not exceed 24 feet, or the height of the wall to which it is attached, or the height of the lowest of any residential windowsill on the wall to which the sign is attached, whichever is lower. Such signs may be nonilluminated, indirectly, or directly illuminated.

(3) **Projecting Signs.** The number of projecting signs shall not exceed one per business. The area of such sign, as defined in Section 602.1(a), shall not exceed 32 square feet. The height of the sign shall not exceed 24 feet, or the height of the wall to which it is attached, or the height of the lowest of any residential windowsill on the wall to which the sign is attached, whichever is lower. No part of the sign shall project more than 75 percent of the horizontal distance from the street property line to the curbline, or six feet, six inches, whichever is less. Such signs may be nonilluminated, indirectly, or directly illuminated.

(4) **Sign Copy on Awnings and Marquees.** Sign copy may be located on permitted awnings or marquees in lieu of projecting signs. The area of such sign copy, as defined in Section 602.1(c),

shall not exceed 40 square feet. Such sign copy may be nonilluminated, or indirectly illuminated.

(5) **Freestanding Signs and Sign Towers.** With the exception of automotive service station signs, which are permitted subject to the provisions of Section 606(c)(1) of this Code, one freestanding sign or sign tower per lot shall be permitted in lieu of a projecting sign if the building or buildings are recessed from the street property line. The existence of a freestanding business sign shall preclude the erection of a freestanding identifying sign on the same lot. The area of such freestanding sign or sign tower, as defined in Section 602.1(a), shall not exceed 30 square feet, nor shall the height of the sign exceed 24 feet. No part of the sign shall project more than 75 percent of the horizontal distance from the street property line to the curbline, or six feet, whichever is less. Such signs may be nonilluminated, indirectly illuminated, or during business hours, may be directly illuminated.

(b) **Nameplates.** One nameplate, as defined in Section 602.12 of this Code, not exceeding an area of two square feet, shall be permitted for each noncommercial use.

(c) **Identifying Signs.** Identifying signs, as defined in Section 602.9, shall be permitted subject to the following regulations:

(1) One sign per lot shall be permitted and such sign shall not exceed 20 square feet in area. The sign may be a freestanding sign, if the building is recessed from the street property line, or may be a wall sign or a projecting sign. The existence of a freestanding identifying sign shall preclude the erection of a freestanding business sign on the same lot. A wall or projecting sign shall be mounted on the first-story level; a freestanding sign shall not exceed 15 feet in height. Such sign may be nonilluminated, indirectly illuminated, or directly illuminated.

(d) **Signs or Sign Features Not Permitted in the North of Market Residential Special Use District.**

Roof signs as defined in Section 602.16 of this Code, wind signs as defined in Section 602.22 of this Code and general advertising signs as defined in Section 602.7 are not permitted. In addition, no sign shall have or consist of any moving, rotating, or otherwise physically animated part or any lights that give the appearance of animation by flashing, blinking or fluctuating. All signs or sign features not otherwise specifically regulated in this Section shall be prohibited.

(Added by Ord. 345-87, App. 8/21/87)

gj
5/17

Section 2: The San Francisco Planning Code is hereby amended by amending Section 608.8 ~~600~~ thereof to read as follows:

SEC. 608. SPECIAL SIGN DISTRICTS.

In addition to the zoning districts that are established under other Articles of this Code, there shall also be in the City such special sign districts as are established in this Article 6 in order to carry out further the purposes of this Code. The designations, locations and boundaries of these special sign districts shall be as provided in this Article and as shown on the Zoning Map referred to in Section 105, subject to the provisions of Section 105. The original of the sectional map of the Zoning Map for Special Sign Districts (numbered SSD) referred to in this Article is on file with the Clerk of the Board of Supervisors under File No. 138-62. In each such Special Sign District, signs shall be subject to the special limitations of Sections 608.1 through 608.11, respectively, in addition to all other applicable provisions of this Code. In the event of inconsistency with any other provision of Article 6, the most restrictive provision shall prevail unless this Code specifically provides otherwise.

(Amended by Ord. 64-77, App. 2/18/77)
(Amended by Ord. 69-87, App. 3/13/87)

SEC. 608.1. NEAR R DISTRICTS.

No general advertising sign, and no other sign exceeding 100 square feet in area, shall be located in an NC, C, M, or South of Market District within 100 feet of any R District in such a manner as to be primarily viewed from residentially-zoned property or from any street or alley within an R District; any sign of which the face is located parallel to a street property line and lies for its entire width opposite an NC, C, M, or South of Market SLR District shall be deemed prima facie not to be primarily so viewed. No sign of any size within 100 feet of any R District shall project beyond the street property line or building setback line of any street or alley leading off the main commercial frontage into the R District.

(Added by Ord. 263-65, App. 10/22/65)
(Amended by Ord. 69-87, App. 3/13/87)
(Amended by Ord. 115-90, App. 4/6/90)

SEC. 608.2. NEAR SCHOOLS, PARKS, AND RECREATION FACILITIES.

No general advertising sign, and no other sign exceeding 200 square feet in area, shall be located within 100 feet of any part of the premises of a school, attendance at which satisfies the compulsory education laws of the State of California, in such a way that it is primarily viewed through any part of such premises. No general advertising sign, and no other sign exceeding 200 square feet in area,

shall be located within 200 feet of any part of the premises of a park, playground, recreation center or facility, square, avenue or grounds under the jurisdiction and supervision of the San Francisco Recreation and Park Commission or a park, playground, or recreation center or facility of any other public agency, if the sign is so arranged that it is primarily viewed from or through such premises; except that this restriction shall not apply to the park known as Union Square.

(Added by Ord. 263-65, App. 10/22/65)

SEC. 608.3. WITHIN CIVIC CENTER AREA.

No general advertising sign, and no other sign exceeding 200 square feet in area, shall be located within the Civic Center Special Sign Districts Numbers 1 and 2, as designated on Sectional Map SSD of the Zoning Map of the City and County of San Francisco. Within such districts, no sign that is located on publicly-owned property, or that is located on a street frontage facing publicly-owned property, shall have any moving, rotating or otherwise animated part; or have any flashing, blinking, fluctuating or otherwise animated light; or project beyond any street property line or building set-back line; or be attached to a building in any manner other than with its entire area flat against a wall of such building that directly faces a street.

(Added by Ord. 263-65, App. 10/22/65)

SEC. 608.4. WITHIN CANDLESTICK PARK AREA.

No general advertising sign, and no other sign exceeding 200 square feet in area, shall be located within the Candlestick Park Special Sign District, as designated on Sectional Map SSD of the Zoning Map of the City and County of San Francisco.

(Added by Ord. 263-65, App. 10/22/65)

SEC. 608.5. NEAR FREEWAYS.

No general advertising sign, and no other sign exceeding 200 square feet in area, shall be located after the date of determination and designation of the route of a landscaped or nonlandscaped freeway so that it is primarily to be viewed by persons traveling on any portion of such freeway. Business signs not exceeding 200 square feet in area which are permitted by this section and are primarily to be viewed by persons traveling on any portion of a landscaped freeway shall, regardless of any other provision of this Code, be limited to signs which designate the name of the owner or occupant of the premises upon which the sign is placed, or which identify such premises, or which direct attention to goods manufactured or produced, or services rendered, on the property upon which the sign is placed.

(Added by Ord. 263-65, App. 10/22/65)

SEC. 608.6. NEAR CERTAIN SCENIC STREETS.

No general advertising sign, and no other sign exceeding 200 square feet in area, shall be located within the areas along the scenic streets that are listed below and designated as special sign districts on Sectional Map SSD of the Zoning Map of the City and County of San Francisco, if any face of such sign is visible from any such street. These limitations shall apply to any portion of any property that is within 200 feet of any such street, unless a greater depth or area is indicated on said Sectional Map.

Telegraph Hill Boulevard for its entire length;

Twin Peaks Boulevard for its entire length;

Market Street extension east side from Mono Street to Portola Drive;

Portola Drive for its entire length;

Roosevelt Way for its entire length;

El Camino Del Mar for its entire length;

Point Lobos Avenue from El Camino Del Mar to its intersection with the Great Highway, including the Cliff House and Sutro Baths areas;

Sunset Boulevard for its entire length;

Great Highway and Esplanade from Point Lobos Avenue to Sloat Boulevard;

Great Highway extension south from Sloat Boulevard to its junction with Skyline Boulevard near Harding Boulevard;

Nineteenth Avenue from Lincoln Way to Junipero Serra Boulevard;

Sloat Boulevard from the Great Highway to Junipero Serra Boulevard;

Junipero Serra Boulevard from Sloat Boulevard to the County Line;

Skyline Boulevard from Sloat Boulevard to the County Line;

Lake Merced Boulevard for its entire length;

John Muir Drive for its entire length;

Zoo Road for its entire length;

Harding Boulevard for its entire length;

Alemany Boulevard from Mission Street viaduct to Junipero Serra Boulevard;

Marina Boulevard for its entire length;

Lyon Street from Marina Boulevard to Lombard Street;

Baker Street from Marina Boulevard to Lombard Street;

Broderick Street from Marina Boulevard to Lombard Street;

Jefferson Street from Lyon Street to Broderick Street;

Beach Street from Baker Street to Broderick Street;

North Point Street from Baker Street to Broderick Street;

Bay Street from Lyon Street to Broderick Street;

Francisco Street from Lyon Street to Broderick Street;

Chestnut Street from Lyon Street to Broderick Street;

Lombard Street from Broderick Street to Lyon Street;

Richardson Avenue from Lyon Street to Lombard Street.

(Added by Ord. 263-65, App. 10/22/65)

SEC. 608.7. NEAR RAPID TRANSIT ROUTES.

No general advertising sign, and no other sign exceeding 200 square feet in area, shall be located after the date of determination and designation of the route or portion thereof of the Bay Area Rapid Transit District or other rapid transit line, wherever such route or portion thereof is other than underground, so that the sign is primarily to be viewed by persons traveling on any such route or portion thereof.

(Added by Ord. 263-65, App. 10/22/65)

SEC. 608.8. ON AND NEAR MARKET STREET FROM THE EMBARCADERO TO THE CENTRAL SKYWAY OVERPASS.

There shall be a special sign district known as the "Market Street Special Sign District" in the vicinity of Market Street from The Embarcadero to the Central Skyway overpass as designated on Sectional Map SSD of the Zoning Map of the City and County of San Francisco. The original copy of said Sectional Map with this Special Sign District indicated thereon is on file with the Clerk of the Board of Supervisors under File No. 112-70.

With respect to said special sign district, the following regulations shall apply:

(a) **Purpose and Findings.** In addition to the purposes stated in Sections 101 and 601 of this Code, the following purposes apply to the Market Street Special Sign District. These purposes constitute findings that form a basis for these regulations and provide guidance for their application.

(1) In November 1962, the electorate of San Francisco voted approval of an investment in a City and regional rapid transit system that will run beneath Market Street. In June 1968, the electorate approved a bonded indebtedness of $24,500,000, including payment for reconstruction and improvement of Market Street from The Embarcadero to the Central Skyway overpass. The street is being completely rebuilt at public expense, with special paving, furnishings, plazas and landscaping. When rebuilt, Market Street will be the transit spine of the downtown area, will have heavy concentrations of pedestrians, and will be more than ever a central domain of the people of the city and of the region. It is a purpose of the Market Street Special Sign District to further this public endeavor.

(2) As Market Street is rebuilt, the area is attracting and will continue to attract investments, development and design efforts in reliance upon the promise of a street of high quality. Both

existing and new enterprises will be strengthened by the high standards of their environment and by the joint efforts of owners and businessmen.

(3) The character of signs along the street and of other features projecting from buildings is especially significant to street appearance and to the general quality and economic stability of the area. Opportunities exist to relate these signs and projections more effectively to the street design and to the design of buildings, and it is a purpose of these regulations to set a framework that will contribute toward those ends.

(4) The standards established by these regulations are reasonable standards related to the unique nature of the Market Street area and to its present and future needs. Where removal of existing signs and other features is required, the periods for removal are related to the schedule for reconstruction of Market Street, including installation of the street trees with which projecting signs and other features would conflict. The removal periods recognize the revocable nature of past permits for erection of features projecting over public streets, and will help to promote equality among establishments, adding greater significance to the improvement efforts.

(5) The standards established by these regulations are deemed to be minimum requirements, forming a basic framework for

development and remodeling. They are not intended in any way to preclude further design refinement or review by individuals or duly constituted organizations which might consider more restrictive requirements as to any aspects limited herein, or as to additional aspects such as materials, color, graphics, types of representation, relationship of signs to one another and to architectural features, or the general quality of design. It is anticipated that private efforts along such lines will and should be made for the further improvement of Market Street.

(b) General Advertising Signs. Except as specified in paragraph 608.8(f)2 below,

(1) No general advertising sign shall be permitted at any location within said special sign district; and

(2) No general advertising sign shall be located within 200 feet of said special sign district, if any portion of a face of such sign would be visible from any point on a street, alley or plaza within the Special Sign District.

(c) Roof Signs. Notwithstanding the exceptions stated in Subsection 607(b) of this Code, no roof sign shall be permitted within said Special Sign District.

(d) Projection of Signs and Other Features. Within said special sign district:

(1) No projection shall exceed a horizontal distance of six feet beyond any street property line. This limitation shall apply to signs and to all other features including but not limited to marquees, awnings, and canopies, with the sole exception of flag poles for flags of any nation or political subdivision.

(2) Projecting signs for each establishment shall be limited to one sign on each street frontage occupied by the establishment, in addition to any signs that are placed flat upon or otherwise integrated in the design of marquees and awnings.

(e) Height and Extension Above Roof Line. Within said Special Sign District, all of the following limitations shall apply.

(1) Notwithstanding the exceptions stated in Subsection 607(g) of this Code, no sign attached to a building shall extend or be located above the roof line of the building to which it is attached.

(2) A projecting sign with lettering or other inscription arranged in a vertical manner shall have a maximum height of 60 feet; except that a greater height shall be permitted, up to a maximum height of 100 feet, provided the height of the sign shall

remain at least 20 feet below the roof line of the building as measured directly above the sign.

(3) Except as provided in Paragraph 608.8(e)5 below, all other signs shall be located no higher than the windowsill level of the lowest story (if any) that has a window or windows on the building facade on which the signs are placed, exclusive of the ground story and mezzanine, provided that no such sign shall in any case exceed a height of 60 feet.

(4) In addition, except as provided in Paragraph 608.8(e)3 and 4 above, uniformity of height shall be maintained in both the upper and lower edges of signs placed flat upon or essentially parallel to each facade of a single building.

(5) As to the requirements of Paragraphs 608.8(e)3 and 4 above, deviation from the requirements may be permitted to the extent an alternative placement of signs is made necessary by the location of arches, entrances and other architectural features, as determined by the Zoning Administrator, or for the purpose of installing special lighting effects and temporary holiday decorations, or for the purpose of modifying or replacing currently existing noncomplying business wall signs as provided by Subsection 607(g).

(f) Other Requirements. Within said Special Sign District, the following additional requirements shall apply:

(1) **Temporary Signs.** With the exception of holiday decorations, no sign composed of paper or other temporary material shall be placed on the outside of any building or structure or affixed to the glass on the outside or inside of any window, unless such sign is placed in a frame or on a structure specifically designed for this purpose.

(2) **Public Areas.** No sign or other structure or feature shall be placed upon any public street, alley or public plaza, or in any portion of a transit system, except such signs, structures and features as are specifically approved by the appropriate public authorities under applicable laws and regulations not inconsistent with this Code and under such conditions as may be imposed by such authorities.

(3) **Maintenance.** Every sign pertaining to an active establishment shall be adequately maintained in its appearance, or else removed or obscured. When the space occupied by any establishment has been vacated, all signs pertaining to such establishment shall be removed or obscured within 60 days following the date of vacation.

(Added by Ord. 125-70, App. 1/17/70)

SEC. 608.9. IN JACKSON SQUARE.

There shall be a special sign district known as the "Jackson Square Special Sign District," as designated on Sectional Map SSD of the Zoning Map of the City and County of San Francisco. The original copy of said Sectional Map with this Special Sign District indicated thereon is on file with the Clerk of the Board of Supervisors under File No. 276-72.

(a) Purposes and Findings.

(1) In addition to furthering the purposes stated in Sections 101 and 601 of this Code, creation of the Jackson Square Special Sign District is intended to further the purposes of the Jackson Square Historic District created pursuant to Ordinance No. 221-72 and to foster the preservation and enhancement of said Historic District.

(2) The standards established by these regulations are deemed to be minimum requirements. They are not intended in any way to preclude further design refinement or review by duly constituted private organizations which might consider more restrictive requirements as to any aspects limited herein, or as to additional aspects such as materials, color, graphics, types of representation,

relationship of signs to one another and to architectural features, or the general quality of design.

(b) Regulations. Within such Special Sign District:

(1) No general advertising sign shall be permitted.

(2) The area of all signs on a building shall not exceed an area of two square feet for each foot of street frontage occupied by the building, and shall in no event exceed a total of 100 square feet on each street frontage.

(3) Notwithstanding the exceptions stated in Subsection 607(b) of this Code, no roof sign shall be permitted.

(4) Notwithstanding the exceptions stated in Subsection 607(g) of this Code, no sign attached to a building shall extend or be located above the roof line of the building to which it is attached.

(5) No projection shall exceed a horizontal distance of six feet beyond any street property line. This limitation shall apply to signs and to all other features including but not limited to marquees and awnings, with the sole exception of flag poles for flags of any nation or political subdivision. All signs, marquees, awnings

and other features shall be supported entirely by a building; no canopies shall be permitted.

(6) Projecting signs for each establishment shall be limited to one sign on each street frontage occupied by the establishment.

(7) All signs shall be placed entirely below the level of the lowest cornice or strong horizontal element located above the ground story of the building, but in no event higher than three feet above the top of the ceiling level of the ground story.

(8) No directly illuminated sign shall be permitted.

(Added by Ord. 223-72, App. 8/9/72)

SEC. 608.10. ON AND NEAR MARKET STREET FROM THE CENTRAL SKYWAY OVERPASS TO DIAMOND STREET.

There shall be a special sign district known as the Upper Market Special Sign District in the vicinity of Market Street from the Central Skyway overpass to Diamond Street as designated on Sectional Map SSD of the Zoning Map of the City and County of San Francisco. The original copy of said Sectional Map with this Special Sign District indicated thereon is on file with the Clerk of the Board of Supervisors

under File No. 324-76-2. With respect to said special sign district, the following regulations shall apply:

(a) Purposes and Findings. In addition to the purposes stated in Sections 101 and 601 of this Code, the following purposes apply to the Upper Market Special Sign District. These purposes constitute findings that form a basis for these regulations and provide guidance for their application.

(1) In November 1962, the electorate of San Francisco voted approval of an investment in a City and regional rapid transit system that will run beneath Market Street, including a city subway along Upper Market. In June 1968, the electorate approved a bonded indebtedness of $24,500,000, including payment for reconstruction and improvement of Market Street from the Central Skyway overpass to the vicinity of Castro Street. The street is being rebuilt at public expense, with special paving, furnishings and landscaping. When rebuilt, this portion of Market Street will have heavy concentrations of pedestrians, and will increase in importance as a transit and shopping corridor. It is a purpose of the Upper Market Special Sign District to further this public endeavor.

(2) As the street is rebuilt, the area is attracting and will continue to attract investments, development and design efforts in reliance upon the promise of a street of high quality. Both

existing and new enterprises will be strengthened by the high standards of their environment and by the joint efforts of owners and business people.

(3) The character of signs along the street and of other features projecting from buildings is especially significant to street appearance and to the general quality and economic stability of the area. Opportunities exist to relate these signs and projections more effectively to the street design and to the design of buildings, and it is a purpose of these regulations to set a framework that will contribute toward those ends.

(4) The standards established by these regulations are reasonable standards related to the unique nature of the Upper Market area and to its present and future needs. Where removal or alteration of existing signs is required, the periods for removal or alteration allow adequate time for amortization of the signs, consistent with other improvements along the street. The removal or alteration will help to promote equality among establishments, adding greater significance to the improvement efforts.

(5) The standards established by these regulations are deemed to be minimum requirements, forming a basic framework fot development and remodeling. They are not intended in any way to preclude further design refinement or review by individuals or duly

constituted organizations which might consider more restrictive requirements as to any aspects limited herein, or as to additional aspects such as materials, color, graphics, types of representation, relationship of signs to one another and to architectural features, or the general quality of design. It is anticipated that private efforts along such lines will and should be made for the further improvement of the Upper Market area.

(b) **General Advertising Signs.** Except as specified in Subsection 608.10(f) below:

(1) No general advertising sign shall be permitted at any location within said Special Sign District; and

(2) No general advertising sign shall be located within 200 feet of said special sign district, if any portion of a face of such sign would be visible from any point on a street, alley or plaza within the Special Sign District.

(c) **Roof Signs.** Notwithstanding the exceptions stated in Subsection 607(b) of this Code, no roof sign shall be permitted within said Special Sign District.

(d) **Projection of Signs and Other Features.** Within said Special Sign District:

(1) No projection shall exceed a horizontal distance of six feet beyond any street property line. This limitation shall apply to signs and to all other features including but not limited to marquees, awnings and canopies, with the sole exception of flag poles for flags of any nation or political subdivision.

(2) Projecting signs for each establishment shall be limited to one sign on each street frontage occupied by the establishment, in addition to any signs that are placed flat upon or otherwise integrated in the design of marquees and awnings.

(e) **Height and Extension Above Roofline.** Within said Special Sign District, all of the following limitations shall apply:

(1) Notwithstanding the exceptions stated in Subsection 607(g) of this Code, no sign attached to a building shall extend or be located above the roofline of the building to which it is attached.

(2) A projecting sign attached to a building with lettering or other inscription arranged in a vertical manner shall have a maximum height of 50 feet or the roofline of the building to which it is attached, whichever is the lesser.

(3) Except as provided in Paragraph 608.10(e)5 below, all other signs attached to a building shall be located no higher than

the windowsill level of the lowest story (if any) that has a window or windows on the building facade on which the signs are placed, exclusive of the ground story and mezzanine, provided that no such sign shall in any case exceed a height of 50 feet or the roofline of the building to which it is attached, whichever is the lesser.

(4) In addition, except as provided in Paragraph 608.10(e)5 below, uniformity of height shall be maintained in both the upper and lower edges of signs placed flat upon or essentially parallel to each facade of a single building.

(5) As to the requirements of Paragraphs 608.10(e)3 and 4 above, deviation from the requirements may be permitted to the extent an alternative placement of signs is made necessary by the location of arches, entrances and other architectural features, as determined by the Zoning Administrator, or for the purpose of installing special lighting effects and temporary holiday decorations.

(6) The maximum height for free standing signs shall be 24 feet.

(f) Public areas. No sign or other structure of feature shall be placed upon any public street, alley or public plaza, or in any portion of a transit system, except such signs, structures and features as are specifically approved by the appropriate public authorities

under applicable laws and regulations not inconsistent with this Code and under such conditions as may be imposed by such authorities.

(Added by Ord. 64-77, App. 2/18/77)

SEC. 608.11. HOSPITALS AND MEDICAL CENTERS IN R DISTRICTS ADJACENT TO OR ACROSS THE STREET FROM C OR M DISTRICTS.

(a) Purposes and Findings. In addition to the purposes stated in Sections 101 and 601 of this Code, the following purposes apply to this Special Sign District. These purposes constitute the findings that form a basis for these regulations and provide guidance for their application.

(1) Hospitals and medical centers are distinguished from other uses in R Districts in that they provide emergency medical care vital to the health and well-being of the people of the City. Where such facilities are in R Districts and adjacent to or across the street from NC, C or M Districts, their signs are substantially obscured, ineffective and put to a significant disadvantage by the more intense signage allowed in the NC, C or M Districts nearby, making identification of emergency facilities difficult.

(2) Imposing the standards of Section 607 on only those hospitals and medical centers in R Districts adjacent to or across the

street from NC, C or M Districts will allow for necessary and desirable signs to the benefit of the people in need of emergency care when such identification is most critical.

(3) The City Planning Commission in reviewing applications for signs under this Section 608.11 shall consider the needs of pedestrians and drivers approaching the applicant institution and the character and pattern of the immediate neighborhood and those neighborhoods affected by the proposed signs so that only such signs that are required for the identification of the institution, and that are not detrimental to the surrounding neighborhoods and any panoramas or vistas in such areas, are approved.

(b) Controls. Notwithstanding the provisions of Section 606 of this Code, a hospital or medical center in an R District and adjacent to or across the street from an NC, C or M District for a distance of at least 400 feet of total street frontage shall be subject to the provisions of Section 607 of this Code that apply to the NC, C or M District adjacent to or across the street upon approval by the City Planning Commission as a conditional use under the procedures and criteria set forth in Section 303 of this Code. The Commission, in considering an application under this Section, may permit signs, including signs located on the sides of a penthouse, that exceed the standards of Section 607 to the extent necessary to meet community

needs for adequately identified medical institutions with the exception of moving parts, flashing lights and wind signs which are prohibited.

(Added by Ord. 30-85, App. 1/17/85)
(Amended by Ord. 69-87, App. 3/13/87)

SEC. 608.12. IN SHOWPLACE SQUARE.

There shall be a special sign district known as the "Showplace Square Special Sign District," as designated on Sectional Map SSD of the Zoning Map of the City and County of San Francisco.

(a) **Purposes and Findings.** In addition to furthering the purposes stated in Sections 101 and 601 of this Code, creation of the Showplace Square Special Sign District is intended to facilitate the transition of the Showplace Square area from its former industrial character to an area of design showrooms. Presently, wholesale and trade design showrooms and accessory uses have located in this area, replacing industrial-type uses. The showroom-type activities enhance the Showplace Square area and attract investments, development and other design improvements. Due to the changed environment, the existence of general advertising signs in the area is no longer appropriate and detracts from the emerging quality and character of the area.

(b) **Regulations.** Within such special sign district:

(1) No general advertising sign shall be permitted.

(Added by Ord. 64-88, App. 2/18/88)

Section 3; PROPOSITION M FINDINGS. The Board of Supervisors, having reviewed the proposed legislation after hearing public testimony, finds and declares that this ordinance is in conformity with the priority policies of Section 101.1(b) of the City Planning Code, and hereby adopts the findings of the City Planning Commission, as set forth in letter dated May 23, 1994, ~~Resolution No.~~ 1444 and incorporates said findings by reference.

gj
5/23

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Judith A. Bijajian
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 23, 1994	May 31, 1994
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Shelley	Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Leal Maher Shelley
Absent: Supervisors Maher Migden	Absent: Supervisors Conroy Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Lum
Acting Clerk

File No.
115-94-5

JUN 3 1994
Date Approved

Frank M. Jordan
Mayor

FILE NO. 27-94-5 ORDINANCE NO. [illegible]

(AIRPORT-AGREEMENT)

APPROVING THE "FIXED BASE OPERATIONS SERVICES OPERATING AGREEMENT" BETWEEN AMR COMBS, INC. AND THE CITY AND COUNTY OF SAN FRANCISCO, ACTING BY AND THROUGH ITS AIRPORTS COMMISSION.

Be it ordained by the People of the City and County of San Francisco:

SECTION 1: Pursuant to Section 7.402-1 of the Charter, the Board of Supervisors hereby approves the "Fixed Base Operations Services Operating Agreement" between AMR Combs, Inc. and the City and County of San Francisco, acting by and through its Airports Commission, copies of which Agreement are contained in Board of Supervisors' file number 27-94-5.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By _____
Deputy City Attorney

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 23, 1994	May 31, 1994
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Leal Maher Shelley
	Absent: Supervisors Conroy Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Lund
Acting Clerk

File No. 27-94-5

JUN 9 1994
Date Approved

Frank M. Jordan
Mayor

FILE NO. 45-94-28 ORDINANCE NO. 221-94

RO #93298

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF FARMERS INSURANCE CO. AGAINST CITY AND COUNTY OF SAN FRANCISCO, et al. for $16,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "FARMERS INSURANCE CO. v. CITY AND COUNTY OF SAN FRANCISCO, et al.," Municipal Court No. 088-535, by the payment of $16,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

ANTHONY D. RIBERA
Chief

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 38 APR 27 1994
309781 1450 $16,000.00

APPROVED:

SECRETARY
POLICE COMMISSION

BOARD OF SUPERVISORS

CC

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Board of Supervisors, San Francisco

Passed for Second Reading

May 23, 1994

Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley

Finally Passed

May 31, 1994

Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Leal Maher Shelley

Absent: Supervisors Conroy Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No. 45-94-28

JUN 9 1994
Date Approved

Mayor

FILE NO. 45-94-25 ORDINANCE NO. 222-94

RO #93293

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF IRINA SHENKAR, ELENA SHENKAR, AND ARBRAM GELDMAN, individually, and as surviving members of ANNE POLYAK GELDMAN, deceased, AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $60,000.00.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "IRINA SHENKAR, ELENA SHENKAR, and ABRAM GELDMAN, individually, and as surviving members of ANNE POLYAK GELDMAN, deceased v. THE CITY AND COUNTY OF SAN FRANCISCO, et al., San Francisco Superior Court No. 907-670," by the payment of $60,000.00.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

JOHN NEWLIN
Executive Director
Department of Parking & Traffic

APPROVED:

PARKING & TRAFFIC COMMISSION

Secretary

FUNDS AVAILABLE:

CONTROLLER
01 001 97 09 36
310177 1450 $60,000.00

APR 20 1994

BOARD OF SUPERVISORS

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Board of Supervisors, San Francisco

Passed for Second Reading

May 23, 1994

Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley

Finally Passed

May 31, 1994

Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Leal Maher Shelley

Absent: Supervisors Conroy Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No. 45-94-25

JUN 9 1994
Date Approved

Mayor

FILE NO. 97-94-28 ORDINANCE NO. 223-94

(Time for Award of Contracts)

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 6.1-2 THEREOF, RELATING TO TIME FOR AWARD OF CONTRACTS FOR FEDERAL AND STATE GRANT AND LOAN FUNDED PROJECTS.

NOTE: Additions are underlined.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by amending Section 6.1-2 thereof to read as follows:

Section 6.1-2. TIME FOR AWARD OF CONTRACTS FOR FEDERAL AND STATE GRANT AND LOAN PROJECTS.

Notwithstanding the provisions of Section 6.1 of this chapter, the Director of Public Works, upon the approval of the Chief Administrative Officer, may award any contract for which federal or state grant and/or loan funds are available to the City and County within the period of time specified in the Special Provisions for any such contract, or within the period of time specified in the Special Provisions for any such contract, or within an extended period beyond such specified in the Special Provisions for any such contract, or within an extended period beyond such specified time with the consent of the successful bidder.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Deputy City Attorney

RECOMMENDED:
John E. Cribbs
Director of Public Works

APPROVED:
Rudolf Nothenberg
Chief Administrative Officer

Department of Public Works

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 23, 1994	May 31, 1994
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Leal Maher Shelley
	Absent: Supervisors Conroy Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No. 97-94-28

JUN 9 1994
Date Approved

Mayor

FILE NO. 97-94-34 ORDINANCE NO. 224-94

[Veterans' Affairs Commission]

AMENDING ARTICLE XI OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 5.102 THEREOF TO ALLOW THE BOARD OF SUPERVISORS TO WAIVE THE RESIDENCY REQUIREMENT FOR MEMBERSHIP ON THIS COMMISSION, CONSISTENT WITH SECTION 8.100 OF THE CITY CHARTER.

Note: There are no additions or substitutions; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Section 5.102 of Article XI of the San Francisco Administrative Code, which provides for the membership of the Veterans' Affairs Commission, is hereby amended to read as follows:

SEC. 5.102. MEMBERSHIP. The Commission shall consist of 15 members((, residents of the City and County of San Francisco)). Eleven of the members shall be appointed by the Board of Supervisors and four of the members shall be appointed by the Mayor as follows:

(a) Five at-large members;

(b) Ten members appointed from the following categories so that among the 10 members there are at least three women veterans and so that there is at least one person selected from each category:

(1) A person who served in the Armed Forces of the United States of America prior to December 8, 1941;

(2) A person who served in the Armed Forces of the United States of America subsequent to December 8, 1941 and prior to the commencement of the Korean War;

(3) A person who served in the Armed Forces of the United States of America subsequent to the commencement of the Korean War and prior to January 1, 1964;

(4) A person who served in the Armed Forces of the United States subsequent to January 1, 1964 and prior to May 8, 1975 and who served in the Vietnam conflict;

(5) A person who served in the Armed Forces of the United States of America subsequent to May 8, 1975;

(6) A person who served in the Armed Forces of the United States of America and is suffering under a physical disability arising from that service, in accordance with the definitions applied in such cases by the Veterans' Administration;

(7) A person who served in the Armed Forces of the United States of America and is "stress disabled" as a result of such service, in accordance with the definitions applied in such cases by the Veterans' Administration.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Theodore R. Lakey
Deputy City Attorney

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
May 23, 1994	§	May 31, 1994
	§	
	§	
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	§	Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Leal Maher Shelley
	§	
	§	Absent: Supervisors Conroy Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Lum
Acting Clerk

File No.
97-94-34

JUN 9 1994
Date Approved

Mayor

Amendment of the Whole
May 4, 1994.

FILE NO. 101-93-114

ORDINANCE NO. 225-94

(Government Funding)

RO#93290
SA#140A

APPROPRIATING AND TRANSFERRING $50,062 FOR SALARIES, FRINGE BENEFITS AND WORK ORDER SERVICES, CREATING TEN (10) POSITIONS AND DELETING THREE (3) POSITIONS AT THE MUNICIPAL RAILWAY; RESCINDING $14,955 FOR SALARIES, FRINGE BENEFITS AND WORK ORDER SERVICES , DELETING ONE (1) POSITION AT THE PUBLIC UTILITIES COMMISSION FOR FISCAL YEAR 1993-1994 (IMPLEMENT PROPOSITION M, CREATE TRANSPORTATION COMMISSION).

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1993-1994 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
31-001	Municipal Railway Operating Fund		
35-01-00	Municipal Railway - Transportation		
01-0010 (560664)	Permanent Salaries - Miscellaneous	$11,979	$11,979
04-0600	Mandatory Fringe Benefits	$1,662	$1,662
35-02-00	Municipal Railway - Engineering & Admin.		
01-0010 (560946)	Permanent Salaries - Miscellaneous	$6,833	$19,973
04-0600	Mandatory Fringe Benefits	$992	$2,807
41-4100	Public Utilities Commission Services	$14,955	
35-03-00	Municipal Railway - Maintenance		
01-0010 (560722)	Permanent Salaries - Miscellaneous	$11,979	$11,979
04-0600	Mandatory Fringe Benefits	$1,662	$1,662
	Total	$50,062	$50,062
09-051	Public Utilities Commission - Finance		
40-02-00	Public Utilities Commission		
01-0010 (561233)	Permanent Salaries - Miscellaneous	$13,141	
04-0600	Mandatory Fringe Benefits	$1,814	
39-3900 (942714)	Interdepartmental Recovery		$14,955
		$14,955	$14,955

Section 2. Funds are hereby appropriated for Ten (10) positions created and Four (4) positions deleted by amendment to the Annual Salary Ordinance (Board of Supervisors File No. 102-93-34) as follows:

Classification	Title	Rate	Created
35-01-00 Municipal Railway - Transportation Index Code 560664; Sub-Object 0010; Permanent Salaries - Misc.			
AA77 S	Deputy Director, Operations, Dept. of Trans.	3155B3636	1
35-02-00 Municipal Railway - Engineering & Administration Index Code 560946; Sub-Object 0010; Permanent Salaries-Misc.			
AA79 S	Deputy Director, Administration & Finance	3155B3636	1
AA84 S	Director, Dept. of Transportation	3615B4637	1
AA85 N	Administrative Secretary, Transportation Comm	2004B2435	1
AA87 N	Member, Transportation Commission	100M100	5
	Total Positions Created, Index Code 560946		8

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Classification	Title	Rate	Created
35-03-00 Municipal Railway - Maintenance			
Index Code 560722: Sub-Object 0010: Permanent Salaries			
AA78 S	Deputy Director, Maintenance	3155B3836	1
	Grand Total of Positions Created		10

Classification	Title	Rate	Deleted
35-01-00 Municipal Railway - Transportation			
Index Code 560664: Sub-Object 0010: Permanent Salaries - Misc.			
9191 S	Deputy General Manager, Operation	3155B3836	1
35-02-00 Municipal Railway - Engineering & Administration			
Index Code 560946: Sub-Object 0010: Permanent Salaries-Misc.			
9186 S	General Manager, Municipal Railway	3815B4637	1
35-03-00 Municipal Railway - Maintenance			
Index Code 560722: Sub-Object 0010: Permanent Salaries-Misc.			
9185 S	Deputy General Manager, Eqpt. Maintenance	3155B3836	1
	Total Positions Deleted, Dept. 35:		3
40/02/00 Public Utilities Commission - Finance			
Index Code 561233: Sub-Object 0010: Permanent Salaries-Misc.			
1677 S	Assistant General Manager, Finance Bureau	4208B4208	1
	Total Positions Deleted, Dept. 40:		
	Grand Total of Positions Deleted		4

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

HUMAN RESOURCES DEPARTMENT

BY: [signature]
DIRECTOR

FUNDS AVAILABLE:

[signature]
CONTROLLER

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 23, 1994	May 31, 1994
Ayes: Supervisors Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Bierman Hallinan Hsieh Kaufman Kennedy Leal Maher Shelley
	Noes: Supervisor Alioto
Noes : Supervisor Alioto	Absent: Supervisors Conroy Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean L. Lum
Acting Clerk

File No.
101-93-114

JUN 9 1994
Date Approved

Mayor

As amended in committee
May 4, 1994.

FILE NO. 102-93-34 ORDINANCE NO. 226-94

PUBLIC EMPLOYMENT SAL. ORD. AMEND. NO. 31

AMENDING ORDINANCE NO. 242-93 (ANNUAL SALARY ORDINANCE, 1993-94) REFLECTING THE CREATION OF ~~THIRTEEN~~ TEN POSITIONS AND THE DELETION OF ~~FOUR~~ THREE POSITIONS IN THE MUNICIPAL RAILWAY AND THE DELETION OF ONE POSITION AT THE PUBLIC UTILITIES COMMISSION.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated section and items of Ordinance No. 242-93 (Annual Salary Ordinance, 1993-94) are hereby amended so that the same shall read as follows:

(Amendment)	No. Pos.	Class& Item No.	Class Title	Compensation Schedule
			Department: 35 Municipal Railway Division: 01 Transportation Section: 00 Transportation Program: 2325 Muni Operations Fund: 31001 Municipal Railway Operating Index: 560664 Muni Operations Proj/Phase 000/00 Unassigned Title Object 001 Permanent Salaries-Misc.	
1 added	1	AA77 S	Deputy Director, Operations.....	$3155B3836
1 deleted	0	9191 S	Deputy General Manager, Operations, Municipal Railway.....	3155B3836
			Department: 35 Municipal Railway Division: 03 Maintenance Section: 00 Maintenance Program: 2326 Muni Equipment Maintenance Fund: 31001 Municipal Railway Operating Index: 560722 Muni-Equip Maintenance Proj/Phase: 000/00 Unassigned Title Object: 001 Permanent Salaries-Misc.	
1 added	1	AA78 S	Deputy Director, Maintenance, Dept. of Transportation.....Z	3155B3836
1 deleted	1	9185 S	Deputy General Manager, Equipment Maintenance, Muni.Railway.....Z.	3155B3836

BOARD OF SUPERVISORS

			Department: 35 Municipal Railway Division: 02 Engineering & Administration Section: 00 Engineering & Administration Program: 2621 Muni-General Management Fund: 31001 Municipal Railway Operating Index: 560946 Muni General Mgmt. Proj/Phase: 000/00 Unassigned Title Object: 001 Permanent Salaries-Misc.	
1 added	1	AA84 S	Director, Dept. of Transportation...Z	$3815B4637
1 deleted	0	9186 S	General Manager, Municipal Railway..Z	3815B4637
1 added	1	AA79 S	Deputy Director, Administration and Finance, Dept. of Transportation....Z	3155B3836
1 added	1	AA85 N	Administrative Secretary, Transportation Commission.....Z	2004B2435
1 added	5	AA87 N	Members, Transportation Commission...	100M100
~~1 added~~	~~1~~	~~1450 N~~	~~Executive Secretary I.....SC~~	~~1291B1565~~
~~1 added~~	~~1~~	~~1272 S~~	~~Sr. Dept. Personnel Officer.....Z,SC~~	~~2557B2108~~
~~1 deleted~~	~~0~~	~~9148 A~~	~~Director of Community Affairs, Muni Railway.....Z~~	~~2545B3093~~
			Department: 35 Municipal Railway Division: 04 Capital Projects Section: 00 Capital Projects Program: 0000 Muni Railway Fund: 00000 Muni Railway Index: 639674 Municipal Railway Proj/Phase: 000/00 Unassigned Title Object: 010 Permanent Salaries	
~~1 added~~	~~1~~	~~AA80 G~~	~~Deputy Director, Capital Projects Dept. of Transportation.....Z~~	~~3155B3836~~
			Department: 40 Public Utilities Commission Division: 02 Finance Section: 00 Finance Program: 2509 PUC-Financial Management Fund: 09051 Public Utilities Commission Index: 561233 Public Utilities Commission Proj/Phase: 000/00 Unassigned Title Object: 001 Permanent Salaries-Misc.	
1 deleted	0	1677 S	Asst. General Manager, Finance, Bureau of Financial Management, PUC.....Z	4208B4208

mlr 5/4

mlr 5/4

APPROVED AS TO CLASSIFICATION:
DEPARTMENT OF HUMAN RESOURCES

HUMAN RESOURCES DIRECTOR

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By: Theodore R. Lakey
DEPUTY CITY ATTORNEY

BOARD OF SUPERVISORS
073087

No. 31

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Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
May 23, 1994	$	May 31, 1994
	$	
	$	
Ayes: Supervisors Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	$	Ayes: Supervisors Bierman Hallinan Hsieh Kaufman Kennedy Leal Maher Shelley
	$	
	$	Noes: Supervisor Alioto
	$	
Noes : Supervisor Alioto	$	Absent: Supervisors Conroy Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Joan Lum
Acting Clerk

File No.
102-93-34

JUN 9 1994
Date Approved

Frank M. Jordan
Mayor

FILE NO. 127-94-4 ORDINANCE NO. 227-94

[Transient Occupancy Tax]

AMENDING PART III, ARTICLE 7 (TAX ON TRANSIENT OCCUPANCY OF HOTEL ROOMS), OF THE SAN FRANCISCO MUNICIPAL CODE BY ADDING SECTION 502.7 THERETO TO TEMPORARILY SUSPEND SECTIONS 502(IMPOSITION OF AND RATE OF TAX), 502.5(IMPOSITION OF SURCHARGE) AND 502.6(IMPOSITION OF A 1.25 PERCENT SURCHARGE) IN CERTAIN REDEVELOPMENT PROJECT AREAS; ADDING SECTION 502.8 TO IMPOSE A 12 PERCENT TAX ON OCCUPANCIES OF GUEST ROOMS IN HOTELS LOCATED IN CERTAIN REDEVELOPMENT PROJECT AREAS, PROVIDING A CREDIT FOR TRANSIENT OCCUPANCY TAXES PAID TO THE SAN FRANCISCO REDEVELOPMENT AGENCY AND AUTHORIZING THE TAX COLLECTOR AND THE CONTROLLER TO ENTER INTO AN ADMINISTRATION AGREEMENT WITH THE SAN FRANCISCO REDEVELOPMENT AGENCY; ADDING SECTION 515.2 TO PROVIDE THAT ALL PERCENTAGE ALLOCATIONS CALCULATED UNDER SECTION 515 SHALL BE BASED ON THE SUM OF THE MONIES DEPOSITED IN THE HOTEL ROOM TAX FUND PLUS TWO-THIRDS OF THE REVENUES GENERATED FROM THE TRANSIENT OCCUPANCY TAX LEVIED WITHIN CERTAIN REDEVELOPMENT PROJECT AREAS AND PROVIDING FOR A REDUCTION OF THE AMOUNT OF HOTEL TAX REVENUES ALLOCATED TO THE CHIEF ADMINISTRATIVE OFFICE FOR CONVENTION FACILITIES ACTIVITIES; AND AMENDING SECTION 517 TO PROVIDE THAT A VIOLATION OF ANY PROVISION OF THE REDEVELOPMENT AGENCY TRANSIENT OCCUPANCY TAX ORDINANCE SHALL CONSTITUTE A MISDEMEANOR.

Note: Additions are underlined, deletions are indicated by ~~strikeout~~.

///

BE IT ORDAINED BY THE PEOPLE OF THE CITY AND COUNTY OF SAN FRANCISCO:

Section 1. Part III, Article 7 of the San Francisco Municipal Code is hereby amended by adding Section 502.7 thereto as follows:

SEC. 502.7. TEMPORARY SUSPENSION OF TAX AND SURCHARGES FOR OCCUPANCIES IN HOTELS IN CERTAIN REDEVELOPMENT PROJECT AREAS.

(a) Suspension. Commencing on October 1, 1994, the provisions of Sections 502, 502.5 and 502.6 hereof shall be temporarily suspended and inapplicable to the occupancy of any guest room in any hotel located within the boundaries of the following San Francisco Redevelopment Agency Project Areas:

(1) Yerba Buena Center Project Area, as described in the Redevelopment Plan adopted by the Board of Supervisors on April 25, 1966, as amended on July 26, 1971, October 9, 1973, September 13, 1976, August 8, 1977, August 13, 1979, November 2, 1981 and December 1, 1986;

(2) Embarcadero-Lower Market (Golden Gateway) Project Area, as described in the Redevelopment Plan adopted by the Board of Supervisors on May 25, 1959, as amended on July 31, 1961, July 13, 1964, November 23, 1964, May 15, 1967, July 22, 1968, November 29, 1976 and December 1, 1986;

(3) Western Addition Project Area A-1, as described in the Redevelopment Plan adopted by the Board of Supervisors on May 28, 1956, as amended on January 10, 1961, July 31, 1961,

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January 14, 1963, February 25, 1963, July 3, 1964, October 26, 1981 and May 3, 1985;

(4) Western Addition Project Area A-2, as described in the Redevelopment Plan adopted by the Board of Supervisors on October 13, 1964, as amended on August 3, 1970, June 6, 1976, December 15, 1986, November 9, 1987 and August 10, 1992; and

(5) South of Market Earthquake Recovery Redevelopment Plan (South of Market Project Area), as described in the Redevelopment Plan adopted by the Board of Supervisors on June 11, 1990.

Each of the foregoing project areas shall hereinafter be individually referred to as a "SFRA Project Area."

(b) Duration. The foregoing suspension of Sections 502, 502.5 and 502.6 shall continue and remain in effect so long as Section 502.8 remains in effect. Immediately upon Section 502.8 no longer being effective, Sections 502, 502.5 and 502.6 shall again apply to all the SFRA Project Areas. In the event any portion of the transient occupancy tax levied by the City pursuant to Section 502.8 hereof is found to be invalid, illegal or unconstitutional, the suspension of Sections 502, 502.5 and 502.6 shall be rescinded by operation of law and the taxes and surcharges levied under such Sections shall be deemed to have been in full force and effect during the period the City collected the transient occupancy tax found to be invalid, illegal or unconstitutional.

Section 2. Part III, Article 7 of the San Francisco Municipal Code is hereby amended by adding Section 502.8 thereto as follows:

SEC. 502.8 IMPOSITION AND RATE OF TAX IN CERTAIN REDEVELOPMENT PROJECT AREAS; TRANSIENT OCCUPANCY TAX-SAN FRANCISCO REDEVELOPMENT AGENCY.

(a) Imposition and Rate of Tax. Pursuant to Section 7280 of the California Revenue and Taxation Code, the City hereby imposes a tax of 12 percent on the rent for every occupancy of a guest room in any hotel located within the boundaries of a SFRA Project Area. The foregoing tax shall be effective on October 1, 1994. The tax so collected shall be deposited in the General Fund subject to appropriation pursuant to the budget and fiscal provisions of the Charter. The tax shall be subject to all the provisions of this Article and shall be administered accordingly by the Tax Collector.

(b) Apportionment of Tax. When rent is paid, charged, billed or falls due on either a weekly, monthly or other term basis, the rent so paid, charged, billed or falling due shall be subject to the tax of twelve (12) percent herein imposed to the extent that it covers any portion of the period after October 1, 1994, and such payment, charge, bill or amount due shall be apportioned on the basis of the ratio of the number of days falling after October 1, 1994, to the total number of days covered thereby. Where any tax has been paid hereunder upon any

rent without any right of occupancy therefor the Tax Collector may by regulation provide for credit or refund of the amount of such tax upon application therefor as provided in Section 514(f) of this Article.

(c) Credit for Taxes Paid to San Francisco Redevelopment Agency. In the event a transient occupancy tax is levied by the San Francisco Redevelopment Agency on the rent for the occupancy of a guest room in a hotel located within a SFRA Project Area, a credit in the amount set forth in subsection (d) below shall be applied against the amounts otherwise due and payable to the City under Section 502.8(a). The foregoing credit is only applicable to a transient occupancy tax levied by the San Francisco Redevelopment Agency pursuant to the California Revenue and Taxation Code Section 7280.5 for the purpose of paying Debt Service (as defined below) on bonded indebtedness issued by the San Francisco Redevelopment Agency (the "Agency Bonds") for redevelopment purposes.

(d) Amount of Credit. The aggregate amount of the credit for each fiscal year shall not exceed the Debt Service on the Agency Bonds due and payable for that fiscal year. "Debt Service" means (i) all payments of principal of and interest on the Agency Bonds, (ii) any required payment made by the Agency to a bond reserve account established under the Agency Bond indenture for the exclusive benefit of the Agency Bonds and (iii) any fee charged by the Tax Collector or the Controller pursuant

to subsection (e) below.

(e) Administration of Agency Tax. The Tax Collector and the Controller are hereby authorized to enter into a tax administration agreement with the San Francisco Redevelopment Agency to administer any transient occupancy tax levied by the San Francisco Redevelopment Agency, including collection of taxes and assessment of penalties and interest and any other tax collection functions associated with such levy. Monies collected on behalf of the San Francisco Redevelopment Agency shall be transmitted to the San Francisco Redevelopment Agency for use in accordance with the requirements of the Agency Bonds and the tax administration agreement. The Tax Collector and the Controller may charge the San Francisco Redevelopment Agency a reasonable fee to compensate for its actual costs of collection and administration services.

(f) Limitations on Effectiveness. Section 502.8 shall be of no further force or effect on December 31, 2027 or, in the event of a default on the Agency Bonds, on the date that such bonds are discharged.

Section 3. Part III, Article 7, of the San Francisco Municipal Code is hereby amended by adding Section 515.2 to read as follows:

SEC. 515.2. CALCULATION OF PERCENTAGE ALLOCATIONS UNDER SECTION 515.

(a) Notwithstanding anything to the contrary in Section 515

of this Article, any and all percentage allocations set forth in Section 515 hereof shall be based on the sum of the monies for deposit to the Hotel Room Tax Fund plus the SFRA Percentage (as defined hereinafter) of the total transient occupancy tax revenues actually received from the SFRA Project Areas regardless of whether such revenues are received by the City or the San Francisco Redevelopment Agency. The SFRA Percentage shall equal the quotient of eight percent divided by the tax rate imposed by the City pursuant to Section 502.8 hereof.

(b) Notwithstanding Section 515(1) of this Article, the total amount to be allocated under Section 515(1) for each fiscal year shall be reduced by the amount of principal and interest (exclusive of any bond reserve payments) due and payable for that fiscal year on any outstanding Agency Bonds, as defined in Section 502.8(c) hereof.

(c) Section 515.2 shall remain in effect so long as Section 502.8 of this Article remains in effect.

Section 4. Part III, Article 7, of the San Francisco Municipal Code is hereby amended by amending Section 517 to read as follows:

SEC. 517 VIOLATIONS, A MISDEMEANOR. Any person violating any of the provisions of this Article or the Transient Occupancy Tax Ordinance No. 1-94, adopted by the San Francisco Redevelopment Agency on March 15, 1994 ("Agency TOT") shall be guilty of a misdemeanor, and shall be punishable therefor by a

fine of not more than $500 or by imprisonment in the County Jail for a period of not more than six months or by both such fine and imprisonment. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this Article or the Agency TOT is committed, continued or permitted by such person and shall be punishable accordingly.

Any operator or other person who fails or refuses to register as required herein or in the Agency TOT, or to furnish any return required to be made under this Article or the Agency TOT, or who fails or refuses to furnish a supplemental return, or other data required by the Tax Collector, or who renders a false or fraudulent return, is guilty of a misdemeanor, and is punishable as aforesaid. Any person required to make, render, sign or verify any report who makes any false or fraudulent report, with intent to defeat or evade the determination of an amount due required by this Article or the Agency TOT to be made, is guilty of a misdemeanor and is punishable as aforesaid.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: _____
Victor L. Castillo
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
May 23, 1994	$	May 31, 1994
	$	
	$	
Ayes: Supervisors Alioto Bierman	$	Ayes: Supervisors Alioto Bierman
Hallinan Hsieh Kaufman Kennedy	$	Hallinan Hsieh Kaufman Kennedy
Leal Maher Shelley	$	Leal Maher Shelley
	$	
Absent: Supervisors Conroy Migden	$	Absent: Supervisors Conroy Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Lum
Acting Clerk

File No.
127-94-4

JUN 9 1994
Date Approved

Frank M. Jordan
Mayor

FILE NO. 114-94-003

ORDINANCE NO. 228-94

(Earthquake Hazard Reduction)

AMENDING PART II, CHAPTER 1 OF THE SAN FRANCISCO MUNICIPAL CODE (BUILDING CODE) BY AMENDING SECTIONS 1509 AND 1511 TO REVISE THE CRITERIA FOR THE RETROFIT OF UNREINFORCED MASONRY BEARING WALL BUILDINGS GREATER THAN SIX STORIES IN HEIGHT.

Note: Additions are indicated by underlining; deletions are indicated by ((double parentheses))

Be it ordained by the people of the City and County of San Francisco:

Section 1. Findings. The Board of Supervisors finds that:

1. Ordinance 225-92, adopted on July 14, 1992, imposed significant restrictions on the procedures that could be used for the retrofitting of unreinforced masonry bearing wall buildings greater than six stories in height.

2. The intent of the program of which that ordinance was a part was to provide a cost effective method of reducing the earthquake hazards in these buildings while minimizing tenant and business disruption.

3. Further research has determined that the additional restrictions placed on buildings greater than six stories in height were without technical justification.

///

4. Buildings over six stories in height represent less than 1 percent of all of the unreinforced masonry bearing wall buildings in San Francisco but contain 3 percent of the residential units and 15 percent of the tourist hotel rooms in these types of buildings.

5. The effect of the continued enforcement of this more restrictive criteria will be a 60 to 70 percent increase in retrofit costs.

6. Studies conducted prior to adoption of Ordinance 225-92 demonstrated that as the cost of retrofit increases so does tenant dislocation and job loss.

7. The majority of these buildings are also qualified historical structures and the significantly higher cost of retrofitting will increase the likelihood of the demolition of these historical resources.

8. The more expensive the retrofit procedure, the longer building owners typically will wait before retrofitting their buildings. Thus, a relaxation of the standards should lead to earlier retrofitting.

9. It is in the best interest of the people of San Francisco to remove the unnecessary restrictions placed on the procedures that may be used to retrofit unreinforced masonry bearing wall buildings over six stories in height.

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Section 2. Part II, Chapter 1 of the San Francisco Municipal Code (Building Code) is hereby amended by AMENDING SECTION 1509 to read as follows:

Selection of Procedure

Sec. 1509. (a) General. Except as modified herein, the analysis and design relating to the structural alteration of existing buildings shall be in accordance with this code.

(b) Selection of Procedure. All buildings shall be analyzed by either the General Procedure of Section 1510 or, when applicable, buildings may be analyzed by the Special Procedure of Section 1511.

Exceptions: 1. A building may be strengthened to the Bolts-plus level by complying only with the requirements for wall anchorage (tension bolts), diaphragm shear transfer (shear bolts) and out-of-plane wall and parapet bracing provided the entire building complies with all of the following requirements:

A. The building does not have any vertical irregularities of Types A (Soft Story), D (In-plane Discontinuity) or E (Weak Story) as defined in Table No. 23-M or horizontal irregularities of Types C (Diaphragm Discontinuity) or D (Out-of-plane Offset) as defined in Table No. 23-N or those irregularities are corrected.

B. The building does not contain any Group A, Division 1, 2, 2.1 occupancies, or Group E, Group I or Group H, Division 1, 2 or 7 occupancies.

///

C. The building has a mortar shear strength, v_o, as determined by Section 1506(c)3, of 30 psi or more for all masonry classes.

D. The building has wood or plywood diaphragms at all levels above the base of building.

E. The building contains a maximum of six stories above the base of the building. The base shall be the ground level and basement or basements shall be excluded from the story count.

EXCEPTION: In an otherwise qualifying building of greater than six stories, a maximum of six of the uppermost contiguous stories may also be retrofitted using the Bolts-plus Procedure provided the building is not located on Poor Soil as defined in Section 1403. The masonry walls required by Item G below shall occupy not less than 50 percent of the wall length in the lowest two of the uppermost six stories. Nonqualifying stories and stories below the uppermost six shall be retrofitted to any other procedure for which they qualify.

F. The building has or will be provided with crosswalls as defined in Section 1511(c) at a spacing that does not exceed 40 feet on center. Any story which does not have or is not provided with complying crosswalls and all stories below that story shall be analyzed using the General Procedure of Section 1510 or, where applicable, the Special Procedure of Section 1511. The floor structure that separates the Bolts-plus and General or Special Procedure stories shall be investigated for its adequacy to act as a diaphragm in accordance with Section 1510(a) or, where the Special Procedure is

parallel to each axis. At least one line in each direction shall be a masonry or concrete shear wall. Requirements for open front buildings are contained in Section 1511(h).

5. In buildings containing one or more party walls, the Special Procedure shall not be used unless each building sharing a party wall individually complies with all of the limitations set forth above and the owner of each such building consents to the use of the procedure in writing.

(b) **Lateral forces on elements of structures.** With the exception of the diaphragm provisions in Section 1511(d), elements of structures shall comply with Section 1510(b).

(c) **Crosswalls.** Crosswalls when used shall meet the requirements of this subsection.

1. **Crosswall definition.** A crosswall is a wood-framed wall sheathed with any of the materials described in Table No. 15-D or 15-E or other system as defined in Section 1511(c)5. Spacing of crosswalls shall not exceed 40 feet on center measured perpendicular to the direction of consideration, and shall be placed in each story of the building. Crosswalls shall extend the full story height between diaphragms.

Exceptions: 1. Crosswalls need not be provided at all levels in accordance with Section 1511(d)2D.

2. Existing crosswalls need not be continuous below a wood diaphragm at or within 4 feet of grade provided:

(i) Shear connections and anchorage requirements, Section 1511(e) are satisfied at

all edges of the diaphragm.

(ii) Crosswalls with total shear capacity of $0.20Z\sum W_d$ interconnect the diaphragm to the foundation.

(iii) The demand/capacity ratio of the diaphragm between the crosswalls that are continuous to their foundations shall be calculated as:

$$DCR = (0.83ZW_d + V_m) / 2v_dD \quad \text{(15-4)}$$

and DCR shall not exceed 2.5.

2. **Crosswall shear capacity.** Within any 40 feet measured along the span of the diaphragm, the sum of the crosswall shear capacities shall be at least 30 percent of the diaphragm shear capacity of the strongest diaphragm at or above the level under consideration.

3. **Existing crosswalls.** Existing crosswalls shall have a maximum height-to-length ratio between openings of 1.5 to 1. Existing crosswall connections to diaphragms need not be investigated as long as the crosswall extends to the framing of the diaphragm above and below.

4. **New crosswalls.** New crosswall connections to the diaphragm shall develop the crosswall shear capacity. New crosswalls shall have the capacity to resist an overturning moment equal to the crosswall shear capacity times the story height. Crosswall overturning moments need not be cumulative over more than two stories.

5. **Other crosswall systems.** Other systems, such as moment resisting frames, may be used as

applicable, Section 1511(d).

G. ((Except for a single story building with an open front on one side only, t))The building has or will be provided with a minimum of two lines of vertical elements of the lateral force resisting system parallel to each axis. Masonry walls shall have wall piers with a height to width ratio that does not exceed 2 to 1 and shall occupy not less than 40 percent of the wall's length in order to be considered as providing a line of resistance. Existing moment frames and other lines of resistance added or altered to comply with this requirement shall fully comply with Section 1512. At least one line in each direction shall be a masonry or concrete shear wall.

H. In buildings containing one or more party walls, the Bolts-plus Procedure shall not be used unless each building sharing a party wall individually complies with all of the limitations set forth above and the owner of each such building consents to the use of the procedure in writing.

When the Bolts-plus Procedure is applicable, the forces to be used for diaphragm shear transfer and irregularity correction shall be those specified in Sections 1511(e) and (f) and *h/t* ratios shall be evaluated in accordance with Section 1511(g). When the intersection of the diaphragm span and demand capacity ratio falls outside the three regions of Figure No. 15-1, the *h/t* ratios for "all other buildings" in Table No. 15-B shall be used. The measures used to comply shall be part of, and be coordinated with, the complete strengthening scheme described in the engineering report required by Section 1404(b)3.

///

2. Buildings which are strengthened to conform to the requirements of Section 104(f) in effect on or after May 21, 1973 are exempt from compliance with the provisions of this chapter.

Section 3. Part II, Chapter 1 of the San Francisco Municipal Code (Building Code) is hereby amended by AMENDING SECTION 1511 to read as follows:

Special Procedure

Sec. 1511. (a) **Limits for application.** The Special Procedure of this section may only be applied to buildings with the following characteristics:

1. The building is not an Essential or Hazardous Facility.

2. Wood or plywood diaphragms at all levels above the base of structure.

3. A maximum of six (6) stories above the base of the building. The base shall be the ground level and basement or basements shall be excluded from the story count.

<u>EXCEPTION: An otherwise qualifying building of greater than six stories may also be retrofitted using the Special Procedure provided the building is not located on Poor Soil as defined in Section 1403 or does not contain any Group A, Division 1, 2, 2.1 occupancies, or Group E, or Group I occupancies.</u>

4. Except for single story buildings with an open front on one side only, a minimum of two lines of vertical elements of the lateral force resisting system complying with Section 1512

crosswalls provided that the yield story drift does not exceed one inch in any story.

(d) **Wood diaphragms.** 1. **Acceptable diaphragm span.** A diaphragm is acceptable if the point (L,DCR) on Figure No. 15-1 falls within Regions 1, 2 or 3.

2. **Demand-capacity ratios.** Demand-capacity ratios shall be calculated for the diaphragm at any level according to the following formulas:

A. For a diaphragm without qualifying crosswalls at levels immediately above or below:

$$DCR = 0.83ZW_d / \Sigma v_s D \quad \text{(15-5)}$$

B. For a diaphragm in a single-story building with qualifying crosswalls:

$$DCR = 0.83ZW_d / (\Sigma v_s D + V_{ab}) \quad \text{(15-6)}$$

C. For diaphragms in a multi-story building with qualifying crosswalls in all levels:

$$DCR = 0.83Z\Sigma W_d / (\Sigma\Sigma v_s D + V_{ab}) \quad \text{(15-7)}$$

DCR shall be calculated at each level for the set of diaphragms at and above the level under consideration. In addition, the roof diaphragm shall also meet the requirements of Formula (15-6).

D. For a roof diaphragm and the diaphragm directly below if coupled by crosswalls:

///

$$DCR = 0.83Z\Sigma W_d / \Sigma\Sigma v_s D \quad \text{(15-8)}$$

3. **Chords.** An analysis for diaphragm flexure need not be made and chords need not be provided.

4. **Collectors.** An analysis of diaphragm collector forces shall be made for the transfer of diaphragm edge shears into vertical elements of the lateral force resisting system. Collector forces may be resisted by new or existing elements.

5. **Diaphragm openings.** A. Diaphragm forces at corners of openings shall be investigated and shall be developed into the diaphragm by new or existing materials.

B. In addition to the demand-capacity ratios of Section 1511(d)2, the demand-capacity ratio of the portion of the diaphragm adjacent to an opening shall be calculated using the opening dimension as the span.

C. Where an opening occurs in the end quarter of the diaphragm span, $v_s D$ for the demand-capacity ratio calculation shall be based on the net depth of the diaphragm.

(e) **Diaphragm shear transfer.** Diaphragms shall be connected to shear walls with connections capable of developing a minimum force given by the lesser of the following formulas:

$$V = {}^{9}/_{8}\, ZC_p W_d \quad \text{(15-9)}$$

using the C_p values in Table No. 15-C, or

$$V = v_s D \quad \text{(15-10)}$$

(f) Shear walls (in-plane loading). 1. Wall story force. The wall story force distributed to a shear wall at any diaphragm level shall be the lesser value calculated as:

A. For buildings without crosswalls,

$$F_{ws} = 0.33Z(W_{ws} + W_d / 2) \quad \text{(15-11)}$$

but need not exceed

$$F_{ws} = 0.33ZW_{ws} + v_s D \quad \text{(15-12)}$$

B. For buildings with crosswalls in all levels:

$$F_{ws} = 0.25Z(W_{ws} + W_d / 2) \quad \text{(15-13)}$$

but need not exceed

$$F_{ws} = 0.25Z\,[W_{ws} + \Sigma W_d(v_s D / \Sigma\Sigma v_s D)] \quad \text{(15-14)}$$

and need not exceed

$$F_{ws} = 0.25ZW_{ws} + v_s D \quad \text{(15-15)}$$

///

2. Wall story shear. The wall story shear shall be the sum of the wall story forces at and above the level of consideration.

$$V_{ws} = \Sigma F_{ws} \quad \text{(15-16)}$$

3. Shear wall analysis. Shear walls shall comply with Section 1512.

4. Moment frames. Moment frames used in place of shear walls shall be designed as required in Chapter 23 except that the forces shall be as specified in Section 1511(f)1 and the story drift ratio shall be limited to 0.005, except as further limited by Section 1512(d)2.

(g) Out-of-plane forces - unreinforced masonry walls. 1. Allowable unreinforced masonry wall height-to-thickness ratios. The provisions of Section 1510(b) are applicable except the allowable height-to-thickness ratios given in Table No. 15-C shall be determined from Figure No. 15-1 as follows:

A. In Region 1, height-to-thickness ratios for buildings with crosswalls may be used if qualifying crosswalls are present in all stories.

B. In Region 2, height-to-thickness ratios for buildings with crosswalls may be used whether or not qualifying crosswalls are present.

C. In Region 3, height-to-thickness ratios for "all other buildings" shall be used whether or

not qualifying crosswalls are present.

///

2. **Walls with diaphragms in different regions.** When diaphragms above and below the wall under consideration have demand-capacity ratios in different regions of Figure No. 15-1, the lesser height-to-thickness ratio shall be used.

(h) **Open Front Design Procedure.** A single story building with an open front on one side and crosswalls parallel to the open front may be designed by the following procedure:

1. Effective diaphragm span, L_e, for use in Figure No. 15-1 shall be determined in accordance with the following formula:

$$L_e = 2\,[(W_w / W_d)L + L] \quad \text{(15-17)}$$

2. Diaphragm demand-capacity ratio shall be calculated as:

$$DCR = 0.83Z(W_d + W_w) / [(v_u D) + V_{ub}] \quad \text{(15-18)}$$

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney
By Judith A. Rogojian
Deputy City Attorney

cc

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 31, 1994	June 6, 1994
Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Migden
Absent: Supervisor Conroy	Absent: Supervisors Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
114-94-3

JUN 9 1994
Date Approved

Mayor

5/17/94 - As amended in Committee.

FILE NO. 97-94-27 ORDINANCE NO. 329-94

(Time for Award of Contracts)

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING SECTION ~~6.1-3~~ 6.1-5 THEREOF, RELATING TO TIME FOR AWARD OF PUBLIC WORK CONTRACTS REQUIRING THE APPROVAL OF THE CITY'S RECREATION AND PARK COMMISSION.

NOTE: Additions are underlined

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by adding Section ~~6.1-3~~ 6.1-5 to read as follows:

Section ~~6.1-3.~~ 6.1-5 TIME FOR AWARD OF CONTRACTS REQUIRING THE APPROVAL OF THE RECREATION AND PARK COMMISSION.

Notwithstanding the provisions of Section 6.1 of this chapter, for any public work contract requiring the approval of the Recreation and Park Commission of the City and County of San Francisco, the Director of Public Works, upon the approval of the Chief Administrative Officer, may award the contract up to a period of 120 days where that period of time is specified in the Special Provisions for any such contract, or within an extended period beyond that specified in the Special Provisions for any such contract, with the consent of the successful bidder.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: _____
Deputy City Attorney

Department of Public Works

RECOMMENDED:

JOHN E. CRIBBS
Director of Pubic Works

APPROVED:

Rudolf Nothenberg
Chief Administrative Officer

BOARD OF SUPERVISORS

CC

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Board of Supervisors, San Francisco

Passed for Second Reading

May 23, 1994

Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley

Finally Passed

May 31, 1994

Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Leal Maher Shelley

Absent: Supervisors Conroy Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Lum
Acting Clerk

File No. 97-94-27

JUN 9 1994
Date Approved

Frank M. Jordan
Mayor

FILE NO. 82-93-10.1 ORDINANCE NO. 230-94

[Quitclaim of Sludge Line Easement]

AUTHORIZING QUITCLAIM OF THE SLUDGE LINE EASEMENT IDENTIFIED AS A PORTION OF ASSESSOR'S PARCELS 4349/4/4A AND 5214/1; AND ADOPTING FINDINGS PURSUANT TO CITY PLANNING CODE SECTION 101.1.

Be It Ordained By the People of the City and County of San Francisco:

SECTION 1. In accordance with the recommendation of Director of Public Works and the Director of Property, the Board of Supervisors hereby declares that the public interests is best served by the quitclaim of the sludge line easement identified as a portion of Assessor's parcels 4349/4/4A and 5214/1 to the Peninsula Corridor Joint Powers Board (JPB).

SECTION 2. Said sludge main easement is no longer required and represents a credit against the total easement requirement from the JPB as approved under Resolution #860-93 for the Islais Creek Transport/Storage project.

SECTION 3. The Department of City Planning reported on April 8, 1994, that the quitclaim of the sludge line easement to the JPB is in conformity with the Master Plan and consistent with the priority policies of Section 101.1 of the Planning Code.

SECTION 4. The Board of Supervisors adopts as its own and incorporates by reference herein, as though fully set forth, the findings made by the Department of City Planning that the conveyance of the subject property is in conformity with the Master Plan and consistent with the priority policies of City Planning Code Section 101.1.

SECTION 5. Pursuant to Section 7.401, the Director of Property has determined the market value of said subject property to be $24,487 which is a credit against the total easement cost of $242,787 for a net amount of $218,300 payable to JPB as approved under Resolution #860-93.

SECTION 6. The amount for quitclaim of the sludge line easement is hereby accepted and the Mayor and the Clerk of the Board of Supervisors are hereby authorized to execute and the Director of Property is authorized to deliver a quitclaim deed conveying the subject property to the JPB.

RECOMMENDED:

Director of Public Works

Director of Property

APPROVED AS TO FORM:
Louise H. Renne, City Attorney

By _____
Deputy City Attorney

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(Real Estate)

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
May 31, 1994	$	June 6, 1994
	$	
	$	
Ayes: Supervisors Alioto Bierman	$	Ayes: Supervisors Alioto Bierman
Hallinan Hsieh Kaufman Kennedy	$	Conroy Hallinan Hsieh Kaufman
Leal Maher Migden Shelley	$	Kennedy Leal Migden
	$	
Absent: Supervisor Conroy	$	Absent: Supervisors Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Lum
ACTING Clerk

File No.
82-93-10.1

JUN 16 1994
Date Approved

Frank M. Jordan
Mayor

FILE NO. 93-94-12.1 ORDINANCE NO. 231-94

(Arbitrator's Award)

AN ORDINANCE IMPLEMENTING THE FISCAL PROVISIONS OF THE ARBITRATOR'S AWARD REGARDING THE COMPENSATION OF CLASSIFICATIONS REPRESENTED BY THE INTERNATIONAL FEDERATION OF PROFESSIONAL AND TECHNICAL ENGINEERS, LOCAL 21, AFL-CIO FOR THE PERIOD JULY 1, 1994 THROUGH JUNE 30, 1995.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby adopts and implements the fiscal provisions including the rates of compensation set forth in the Arbitrator's award dated May 3, 1994 for classifications of city employees represented by The International Federation of Professional and Technical Engineers, Local 21, AFL-CIO, such fiscal provisions and rates of compensation to be effective July 1, 1994 through June 30, 1995. A copy of the arbitrator's award is on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Vicki A. Clayton
Vicki A. Clayton
Deputy City Attorney

25141
BOARD OF SUPERVISORS

cc

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 31, 1994	June 6, 1994
Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Migden
Absent: Supervisor Conroy	Absent: Supervisors Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Lunn
ACTING Clerk

File No.
93-94-12.1

JUN 16 1994
Date Approved

Frank M. Jordan
Mayor

Amendment of the Whole
April 20, 1994.

FILE NO. 101-93-96.1

ORDINANCE NO. 232-94

As amended May 25, 1994.

(Government Funding)

RO#93269
SA#68B

mlr 5/25

APPROPRIATING ~~AND RESERVING $74,040~~ $11,010 OF JAIL OVERCROWDING FINE REVENUE TO ALLOW THE SHERIFF DEPARTMENT TO EXPAND THE RESIDENTIAL CARE PROGRAM TO MINIMIZE JAIL OVERCROWDING FOR FISCAL YEAR 1993-1994 (INCLUDES OTHER NON-PERSONAL SERVICES).

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1993-1994 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
01-001	General Fund		
06-00-00	Sheriff Department		
70-7807 (040857)	Overcrowding Fine Revenue	$11,010 ~~$74,040~~	
XXX-XX	Jail Overcrowding Project		
10-1900 (305029)	Other Non-Personal Services		$11,010 ~~$74,040~~
	Total	$11,010 ~~$74,040~~	$11,010 ~~$74,040~~

mlr 5/25

~~**Section 2.** Funds in the amount of $74,040 are hereby placed on reserve until the 3rd Baptist Program Contract is finalized, and the results of the City Planning Appeal on Thurgood Marshall Center is available, to be released by the Budget Committee.~~

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

[signature]
CONTROLLER

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 31, 1994	June 6, 1994
Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Leal Maher Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Migden
Absent: Supervisors Conroy Migden	Absent: Supervisors Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
ACTING Clerk

File No.
101-93-96.1

JUN 16 1994
Date Approved

[signature]
Mayor

FILE NO. 101-93-115

ORDINANCE NO. 233-94

(Government Funding)

RO#93302
SA#136

APPROPRIATING AND CERTIFYING $89,606 FOR CAPITAL IMPROVEMENT PROJECT TO COVER 10% OVERAGE AS PER CHARTER SECTION 7.203, PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN, DEPARTMENT OF PUBLIC WORKS FOR FISCAL YEAR 1993-1994.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1993-1994 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
06-514	**Parking Authority Project**		
90-06-00	Public Works - Engineering		
Project 058-01	Traffic Signal Improvements on Various Locations		
20-2030 (600544)	Capital Improvement Project	$89,606	$89,606
	Total	$89,606	$89,606

Section 2. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM
LOUISE H. RENNE CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

[signature]
CONTROLLER

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 31, 1994	June 6, 1994
Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Leal Maher Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Migden
Absent: Supervisors Conroy Migden	Absent: Supervisors Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
ACTING Clerk

File No.
101-93-115

JUN 16 1994
Date Approved

[signature]
Mayor

FILE NO. 101-93-116

ORDINANCE NO. 234-94

(Government Funding)

RO#93308
SA#146

APPROPRIATING $2,600,815 FROM THE GENERAL RESERVE TO UNIFORM SALARIES, MANDATORY FRINGE BENEFITS, WORKERS COMPENSATION AND FACILITIES MAINTENANCE AT THE FIRE DEPARTMENT FOR FISCAL YEAR 1993-94. SUBJECT OF PREVIOUS BUDGETARY DENIAL.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1993-1994 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
01-001	**General Fund**		
99-00-00	General Fund Unallocated		
GL 496 (000026)	Unappropriated Revenue Reserved		
Subsidiary 000006	General Reserve	$2,600,815	
31-00-00	Fire Department		
49-4900 (874982)	Revenue Transfer Out to 01-005 General Fund - Project		$100,000
01-0020 (530055)	Permanent Salaries - Uniform		$641,045
04-0600	Mandatory Fringe Benefits		$191,189
04-0700	Other Fringe Benefits		$667,766
Project 195-31	Workers' Compensation - General Fund		
30-3700 (333039)	Services of Other Departments		$1,000,815
	Total General Fund	$2,600,815	$2,600,815

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
01-005	**General Fund Project**		
99-9990 (191312)	Revenue Transfer In from 01-001, General Fund	$100,000	
Project 293-01	Various Loc.-Misc. Facilities Maintenance Project		
21-2020 (530097)	Facilities Maintenance Project		$100,000
	Total General Fund Project	$100,000	$100,000

Section 2. This ordinance is adopted by a two-thirds vote of all members of the Board of Supervisors pursuant to Section 6.306 of the Charter. These items were previously requested by Budget Estimate and denied by the Mayor.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

_____
CONTROLLER

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BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
May 31, 1994	§	June 6, 1994
	§	
	§	
Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Leal Maher Shelley	§	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Migden
	§	
Absent: Supervisors Conroy Migden	§	Absent: Supervisors Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Lum
ACTING Clerk

File No.
101-93-116

JUN 16 1994
Date Approved

Frank M. Jordan
Mayor

As amended in committee
May 25, 1994.

FILE NO. 101-93-119

ORDINANCE NO. 235-94

(Government Funding)

RO# 93310
SA#148

mlr 5/25 APPROPRIATING ~~$2,700,000~~ $2,652,165 FROM THE GENERAL FUND RESERVE TO OTHER NON-PERSONAL SERVICES (CALTRAIN PAYMENTS) AND MATERIALS AND SUPPLIES AT THE MUNICIPAL RAILWAY FOR FISCAL YEAR 1993-94.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1993-1994 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit	
01-001	**General Fund**			
99-00-00	General Fund Unallocated			
GL491 (000026)	Unappropriated Revenue Reserved			
Subsidiary 000006	General Reserve	$2,652,165 ~~$2,700,000~~		mlr 5/25
48-4700 (841601)	Contribution Transfer Out to #31-001 Municipal Railway Operating Fund, 35-03-02 Municipal Railway		$2,652,165 ~~$2,700,000~~	mlr
	Total General Fund	$2,652,165 ~~$2,700,000~~	$2,652,165 ~~$2,700,000~~	mlr
31-001	**Municipal Railway Operating Fund**			
35-02-03	Municipal Railway - Administration			
98-9701 (196113)	Contribution Transfer In from #01-001, General Fund, 99-00-00	$2,652,165 ~~$2,700,000~~		mlr
10-1420 (560979)	Payments to Other Governments		$1,167,977 ~~$1,200,000~~	mlr
35-03-02	Municipal Railway - Maintenance			
11-1325 (560789)	Materials and Supplies		$1,484,188 ~~$1,500,000~~	mlr
	Total Municipal Railway Operating Fund	$2,652,165 ~~$2,700,000~~	$2,652,165 ~~$2,700,000~~	mlr

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Teresa J. Caya
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

John W. Madden
(for) CONTROLLER

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Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
May 31, 1994	$	June 6, 1994
	$	
	$	
Ayes: Supervisors Alioto Bierman Hsieh Kaufman Kennedy Leal Maher Migden	$	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Migden
	$	
Noes: Supervisor Hallinan	$	
	$	
Absent: Supervisors Conroy Shelley	$	Absent: Supervisors Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

ACTING Clerk

File No.
101-93-119

JUN 16 1994

Date Approved

Mayor

Amendment of the Whole
May 25, 1994.

FILE NO. 127-94-5 ORDINANCE NO. 236-94

AMENDING PART III, ARTICLE 12-C (REAL PROPERTY TRANSFER TAX ORDINANCE) OF THE SAN FRANCISCO MUNICIPAL CODE BY AMENDING SEC. 1108.1 TO EXEMPT DOMESTIC PARTNERS FROM TRANSFER TAXES WHEN THEIR PARTNERSHIP DISSOLVES.

Note: Additions are indicated by underlining; deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1108.1 of Part III of the Municipal Code is amended to read as follows:

SEC. 1108.1. **EXEMPTION; DISSOLUTION OF MARRIAGE, ETC.** (a) Any tax imposed pursuant to this ordinance shall not apply with respect to any deed, instrument, or other writing which purports to transfer, divide, or allocate community, quasi-community, or quasi-marital property assets between spouses for the purpose of effecting a division of community, quasi-community, or quasi-marital property which is required by a judgment decreeing a dissolution of the marriage or legal separation, by a judgment of nullity, or by any other judgment or order rendered pursuant to Part 5 (commencing with Section 4000) of Division 4 of the Civil Code, or by written agreement between the spouses, executed in contemplation of any such judgment or order, whether or not the written agreement is incorporated as part of any those judgments or orders.

//

//

SUPERVISORS MIGDEN, ALIOTO, BIERMAN, HSIEH

(b) Any tax imposed pursuant to this ordinance shall not apply with respect to any deed, instrument, or other writing which purports to transfer, divide, or allocate assets held as joint tenants or as tenants-in-common between domestic partners for the purpose of effecting a division of assets upon the dissolution of a domestic partnership. For purposes of this exemption, "domestic partnership" shall mean a domestic partnership that has been created pursuant to Chapter 62 of the Administrative Code and for which a Declaration of Domestic Partnership has been filed with the County Clerk pursuant to such Chapter.

((b)) (c) In order to qualify for the exemption provided in Subdivision (a) or (b), the deed, instrument or other writing shall include a written recital, signed by either spouse or domestic partner, stating that the deed, instrument, or other writing is entitled to exemption.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: _____
Deputy City Attorney

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PUBLIC LIBRARY

cc

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
May 31, 1994	$	June 6, 1994
	$	
	$	
Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	$	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Migden
	$	
Absent: Supervisor Conroy	$	Absent: Supervisors Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Lum
ACTING Clerk

File No.
127-94-5

JUN 16 1994
Date Approved

Frank M. Jordan
Mayor

FILE NO. 45-94-29 ORDINANCE NO. 237-94

RO #93311

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF O'BRIEN MECHANICAL v. CITY AND COUNTY OF SAN FRANCISCO for $437,205.69.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "O'BRIEN MECHANICAL V. CITY AND COUNTY OF SAN FRANCISCO, et al. "Superior Court No. 947-060", by the payment of $437,205.69.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

APPROVED:

CHIEF ADMINISTRATIVE OFFICER

RUDOLF NOTHENBERG
Chief Administrative Officer

FUNDS AVAILABLE:

EDWARD HARRINGTON
Controller

02 301 70-04-00 420133 1450
606-01 $130,482.13
XXX XX $306,723.56 For SF Redevelopment Agency Fund
Total $437,205.69

MAY 11 1994

2062K

BOARD OF SUPERVISORS

CC

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 13, 1994	June 20, 1994
Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Leal Migden	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Leal Maher Migden
Absent: Supervisors Conroy Kennedy Maher Shelley	Absent: Supervisors Kennedy Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-94-29

JUN 24 1994
Date Approved

Mayor

FILE NO. 65-94-10 ORDINANCE NO. 238-94

(Approval of Lease Agreement)

APPROVAL OF LEASE AGREEMENT BETWEEN CAPITAL CITIES, ABC, INC. AND THE CITY AND COUNTY OF SAN FRANCISCO, OPERATING BY AND THROUGH THE SAN FRANCISCO PORT COMMISSION FOR SEAWALL LOTS 344 AND 352, LOCATED SOUTH OF ISLAIS CREEK AT THE END OF AMADOR STREET.

Be it ordained by the People of the City and County of San Francisco:

Section 1

The Board of Supervisors finds that:

A. Section 3.581(g) of the City Charter authorizes the Port Commission to enter into leases and franchises for the operation of property within the jurisdiction of the Port Commission; and

B. Section 7.402-1 of the City Charter authorizes the Board of Supervisors to review and approve by ordinance, the modification and amendment of a lease entered into by a department, board or commission for a period of time in excess of ten (10) years or having anticipated revenue to the City and County of San Francisco of one million dollars or more; and

6/7/94 jlb C. ~~KSPO, Inc.~~ First Broadcasting Co., Inc., currently holds a lease for Seawall Lots 344 and 352, located south of Islais Creek at the end of Amador Street, in the City and County of San Francisco, for their transmitting towers. Capital Cities ABC, Inc., is in the process of acquiring ~~KSPO~~ First Broadcasting Co., Inc. and a condition of this purchase is the transfer of the lease.

6/7/94 jlb D. The San Francisco Port Commission and Capital Cities, ABC, Inc., agreed to enter into a twenty-year lease, effective upon the sale of ~~KSPO to Capital Cities~~ First Broadcasting Co., Inc. or one of its wholly-owned subsidiaries, for use of space at Seawall Lots 344 and 352, for a base rate of $10,416.66 per calendar month ($125,000 per year).

E. On April 26, 1994, the San Francisco Port Commission passed Resolution 94-61 (copy hereto attached) approving a twenty-year lease with Capital Cities, ABC, Inc.

Section 2

NOW THEREFORE BE IT ORDAINED that the Board of Supervisors hereby approves the lease terms with Capital Cities, ABC, Inc., or one of its wholly-owned subsidiaries, for occupancy of space at Seawall Lots 344 and 352, a copy of lease is on file with the Clerk of the Board of Supervisors, and hereby authorizes the Executive Director of the Port to execute the same on behalf of the Port in substantially the form attached hereto.

APPROVED AS TO FORM
Louise Renne
City Attorney

by: Neil Sekhri
Deputy City Attorney

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Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
June 13, 1994	$	June 20, 1994
	$	
	$	
Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Leal Migden	$	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Leal Maher Migden
	$	
Absent: Supervisors Conroy Kennedy Maher Shelley	$	Absent: Supervisors Kennedy Shelley
	$	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
65-94-10

JUN 24 1994
Date Approved

Frank M. Jordan
Mayor

FILE NO. 101-93-117

ORDINANCE NO. 239-94

(Government Funding)

RO#93306
SA#142

APPROPRIATING AND RESCINDING $650,000 FROM VARIOUS CAPITAL PROJECTS AND THE RECREATION AND PARK SPECIAL REVENUE FUND FOR THE COMPLETION OF CANDLESTICK PARK CAPITAL PROJECT AT THE DEPARTMENT OF PUBLIC WORKS FOR FISCAL YEAR 1993-94. PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1993-1994 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
01-001	General Fund		
99-00-00	General Fund Unappropriated		
GL 496 (000026)	Unappropriated Revenue Reserved		
Subsidiary 000006	General Reserve (City Hall Skylights A)	$154,307	
Subsidiary 000096	Capital Outlay Reserve (Skylights B)	$171,543	
Project 616-01	DSS Homeless Shelter-525 5th Street		
10-1001 (381020)	Professional & Special Service Contracts	$13,755	
Project 616-01	DSS Homeless Shelter - Polk		
10-1001 (381020)	Professional & Special Service Contracts	$56,327	
Project 986-01	City Hall Roof Skylight		
20-2030 (770326)	Capital Improvement Project	$69,012	
49-4900 (916973)	Revenue Transfer Out to 02-229, Rec and Park Special Revenue Fund, 42-00-00	$41,387	
49-4900 (874982)	Revenue Transfer Out to 01-005, General Fund - Project, 90-02-00		$506,331
	Total General Fund	$506,331	$506,331

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
02-229	**Special Rec and Park Revenue Fund**		
42-00-00	Recreation & Park Department		
GL 301 (004077)	Unreserved Fund Balance	$41,387	
99-9990 (236570)	Revenue Transfer In from 01-001, General Fund, 99-00-00		$41,387
	Total Special Rec. & Park Revenue Fund	$41,387	$41,387
01-005	**General Fund - Project**		
90-02-00	Department of Public Works - Architecture		
99-9990 (191312)	Revenue Transfer In from 01-001, General Fund, 99-00-00	$506,331	
Project 150-01	Nothern Police Station Potrero		
20-2030 ( )	Capital Improvement Project	$1,937	
Project 209-01	County Clerk Floor Covering		
20-2020 (322040)	Facilities Maintenance Project	$65,284	
Project 326-01	Acoustical Ceiling -Rm. 317 City Hall		
20-2020 (322040)	Facilities Maintenance Project	$61,831	

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Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
Project 748-01	City Hall Basement Fitness Program		
20-2030 (770362)	Capital Improvement Project	$14,617	
Project 831-01	Candlestick Park Project, Phase 8B		
20-2030 (770362)	Capital Improvement Project		$650,000
	Total General Fund Project	$650,000	$650,000

Section 2. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM:
LOUISE H. RENNE CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

_____
CONTROLLER

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading

June 6, 1994

Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Migden

Absent: Supervisors Maher Shelley

Finally Passed

June 13, 1994

Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Leal Migden

Absent: Supervisors Conroy Kennedy Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No.
101-93-117

JUN 24 1994
Date Approved

_____
Mayor

FILE NO. 101-93-120

ORDINANCE NO. 240-94

(Government Funding)

RO#93312
SA#143

APPROPRIATING $202,500 OF JAIL OVERCROWDING FINE REVENUE TO ALLOW THE SHERIFF DEPARTMENT TO FUND A PRETRIAL DIVERSION PROGRAM TO REDUCE JAIL OVERCROWDING FOR FISCAL YEAR 1993-1994. PLACING $202,500 ON RESERVE.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1993-1994 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
01-001	**General Fund**		
06-00-00	Sheriff Department		
70-7807 (040857)	Overcrowding Fine Revenue	$202,500	
Project 044-01	Jail Overcrowding Project		
10-1001 (305029)	Professional -Special Service Contract		$202,500
	Total	$202,500	$202,500

Section 2. Funds in the amount of $202,500 are hereby placed on reserve pending approval of the Special Master.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

[signature]
CONTROLLER

CC

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 6, 1994	June 13, 1994
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Migden	Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Leal Migden
Absent: Supervisors Maher Shelley	Absent: Supervisors Conroy Kennedy Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Clerk

File No.
101-93-120

JUN 24 1994
Date Approved

[signature]
Mayor

JUL 06 1994
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(Parking Revenue Fund)

AMENDING SECTION 213 OF THE SAN FRANCISCO TRAFFIC CODE, RELATING TO THE ESTABLISHMENT, PURPOSE AND USE OF A PARKING REVENUE FUND.

Note: Additions or substitutions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Section 213 of the San Francisco Traffic Code is hereby amended as follows:

SEC. 213 USE OF PARKING METER AND GARAGE REVENUE -- ESTABLISHMENT OF PARKING REVENUE FUND. (a) Establishment and Purpose of Fund. There is hereby established a special fund in the Treasury of the City and County of San Francisco to be known as the Parking Revenue Fund (referred to hereafter as the "Fund"). Subject to the restrictions provided in this Section, the Fund is hereby established for the purpose of financing the San Francisco off-street parking program and other parking-related projects, including without limitation, (i) capital expenditures for acquisition, construction, completion or leasing of public parking lots, storage space, garages, single- or multi-level structures, and other off-street parking facilities on, under, or above the surface of any property, including public parks, squares, lands, easements or

rights-of-way acquired or to be acquired by purchase, lease or condemnation, together with buildings, structures, equipment, approach roads, entrances, exits, fencing, off-street parking meters, and other works, property or structures for the accommodation of automotive vehicles, and necessary or convenient for parking facilities to relieve congestion and facilitate, regulate and control traffic within the City and County of San Francisco; (ii) the payment of the costs of engineering and related studies and surveys; (iii) the payment of the costs, operation and maintenance of parking facilities and related structures hereafter acquired or constructed, including the payment of possessory interest taxes required by any agreement authorized by the Board of Supervisors; (iv) the sole pledge for the servicing of past or future indebtedness incurred by the issuance of bonds or other instruments by or on behalf of the City and County of San Francisco for the acquisition, construction and completion of off-street parking facilities; (v) the sole additional pledge augmenting a pledge of revenue from off-street parking facilities for the servicing of past or future indebtedness incurred by the issuance of revenue bonds or other revenue instruments by or on behalf of the City and County of San Francisco for the acquisition, construction and completion of off-street parking facilities; payment of the costs of engineering and construction of on-street parking bays in parking meter districts within neighborhood commercial districts by

sidewalk narrowing after adoption of appropriate legislation by the Board of Supervisors; (vi) payment of the administrative and operating expenses of the Department of Parking and Traffic, the Parking and Traffic Commission and the Parking Authority of the City and County of San Francisco; (vii) payment to the General Fund, for traffic regulation and control, of amounts remaining in said special fund after making provision for the requirements under (i) through (vi) above.

(b) **Deposit of Monies Into the Fund; Segregated Accounts Within Fund.** (i) Monies collected by the Department of Parking and Traffic from on-street parking meters ("Parking Meter Revenue") shall be deposited into the Treasury of the City and County of San Francisco and credited to the Fund in a segregated account known as the "Parking Meter Revenue Account". (ii) All net revenue received from the operation of off-street parking facilities owned or leased by the City or the Parking Authority of the City and County of San Francisco, the purchase or construction of which was financed in whole or in part from the Fund or the Off-Street Parking Fund pursuant to this Section, and those net revenues received from the operation of off-street, metered parking facilities owned by the City and County of San Francisco, shall be collected by the Department of Parking and Traffic, deposited into the Treasury of the City and County of San Francisco and credited to the Fund in a segregated account known as the "Off-Street Parking Revenue Account". To the extent

practicable, all net revenues from off-street parking facilities (including surface parking) operated on City-owned property shall be credited to the Off-Street Parking Revenue Account.

(c) **Use of Monies in Parking Meter Revenue Account.** The use of monies deposited into the Parking Meter Revenue Account pursuant to subsection (b)(i) of this Section, and any and all interest earned thereon, shall be expended, **First**, for the payment in any fiscal year of all principal, interest, premium and all other payments required pursuant to any documents authorizing any indebtedness or obligations issued or created by, or on behalf of, the City and County of San Francisco or the San Francisco Parking Authority in connection with the financing of the construction, acquisition and/or equipping of any off-street parking facilities; **Second**, to the General Fund of the Treasury of the City and County of San Francisco the amount of $1,500,000, to the extent available in any fiscal year from Parking Meter Revenue (except that commencing with fiscal year 1987-88 such amount shall be $3,000,000, and except that commencing with fiscal year 1988-89 such amount shall be $6,000,000, and except that commencing with fiscal year ((in fiscal years)) 1992-93 ((and 1993-94)) such amount shall be $8,000,000); and **Third**, for the purposes described in subsection (a) of this Section, if and to the extent available.

(d) **Use of Monies in Off-Street Parking Revenue Account.** The monies deposited into the Off-Street Parking Revenue Account

pursuant to subsection (b)(ii) of this Section, and any and all interest earned thereon, shall be expended for the purposes set forth in subsection (a) of this Section, in any order of priority.

(e) **Definitions.** When used in this Section, the term "net revenues" shall mean, with respect to each facility, all income, revenue, interest earnings and other money of every nature arising out of or in connection with or derived from the ownership, operation or leasing of such facility in such fiscal year less maintenance and operation costs of such facility. The term "maintenance and operation costs" shall mean, with respect to each facility, the reasonable and necessary costs of operation and maintenance, calculated on sound accounting principles, including (among other things) salaries and wages, fees for services, costs of materials, supplies and fuel, reasonable expenses of management, legal fees, accounting fees, repairs and other expenses necessary to maintain and preserve the facility in good repair and working order, and reasonable amounts for administration, overhead, insurance, taxes (if any), and other similar costs, but excluding in all cases (i) depreciation and obsolescence charges or reserves therefor, (ii) amortization of intangibles premiums, discounts, or other bookkeeping entries of a similar nature, (iii) costs of capital additions, replacements, betterments, extensions or improvements to the facility, which under generally accepted accounting principles are chargeable to

a capital account or to a reserve for depreciation, and (iv) amounts paid from sources other than the Fund.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Tom Lakis
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
June 6, 1994	§	June 13, 1994
	§	
	§	
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Migden	§	Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Leal Migden
	§	
Absent: Supervisors Maher Shelley	§	Absent: Supervisors Conroy Kennedy Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
124-94-6.2

JUN 24 1994
Date Approved

Frank M. Jordan
Mayor

FILE NO. 101-93-122 ORDINANCE NO. 242-94

(Government Funding) RO#93319
SA#139

APPROPRIATING $4,000,000 FOR THE PURCHASE OF POWER AND RESCINDING VARIOUS CAPITAL IMPROVEMENT PROJECTS AT HETCH HETCHY FOR FISCAL YEAR 1993-94.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1993-1994 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
33-001	Hetch Hetchy Operating Fund		
32-00-00	Hetch Hetchy		
Project 642-01	Top A&B		
20-2030 (696104)	Capital Improvement Project	$20,758	
Project 651-01	Kirkwood Ph Addition		
20-2030 (728907)	Capital Improvement Project	$110,000	
Project 657-01	Modifycherry Val. Dom. Water		
20-2030 (750117)	Capital Improvement Project	$2,000	
20-2030 (750125)	Capital Improvement Project	$886	
20-2030 (750133)	Capital Improvement Project	$34,000	
Project 774-01	Old Mocca. Ph Powerhouse		
20-2030 (336248)	Captial Improvement Project	$900,000	
20-2030 (747386)	Capital Improvement Project	$2,332,356	
Project 844-01	Early Intake/Eleanor Dam Repair		
20-2030 (728568)	Capital Improvement Project	$527,999	
20-2030 (744623)	Capital Improvement Project	$66,000	
20-2030 (744631)	Capital Improvement Project	$6,001	
10-1900 (336016)	Other Non-Personal Services		$4,000,000
	Total	$4,000,000	$4,000,000

SUPERVISOR ALIOTO

APPROVED AS TO FORM:
LOUISE H. RENNE CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

_____
CONTROLLER

s\sprobudget32se#139

BOARD OF SUPERVISORS

DOCUMENTS
JUL 27 1994
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Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
June 13, 1994	$	June 20, 1994
	$	
	$	
Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Leal Migden	$	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Leal Maher Migden
	$	
Absent: Supervisors Conroy Kennedy Maher Shelley	$	Absent: Supervisors Kennedy Shelley
	$	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-93-122

JUN 30 1994
Date Approved

Frank G. Jordan
Mayor

(AIRPORT-CONCESSION LEASE)

APPROVING THE "LEASE FOR DUTY FREE/IN-BOND MERCHANDISE SALES" BETWEEN DFS GROUP L.P. AND THE CITY AND COUNTY OF SAN FRANCISCO, ACTING BY AND THROUGH ITS AIRPORTS COMMISSION.

Be it ordained by the People of the City and County of San Francisco:

SECTION 1: Pursuant to Section 7.402-1 of the Charter, the Board of Supervisors hereby approves the "Lease For Duty Free/In-Bond Merchandise Sales" between DFS Group L.P. and the City and County of San Francisco, acting by and through its Airports Commission, copies of which Lease are contained in Board of Supervisors' file number 27-94-6.

The Lease for "Duty Free/In-Bond Merchandise Sales" to DFS Group L.P. was approved by Airports Commission Resolution No. 94-0049 adopted April 19, 1994.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By Wan E. Lowe
Deputy City Attorney

CC

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 13, 1994	June 20, 1994
Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Leal Migden	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Leal Maher Migden
Absent: Supervisors Conroy Kennedy Maher Shelley	Absent: Supervisors Kennedy Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
27-94-6

JUN 30 1994
Date Approved

Frank M. Jordan
Mayor

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JUL 27 1994
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CC

FILE NO. 45-94-26 ORDINANCE NO. 244-94

RO #93294

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF BENJAMIN CHAVEZ AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $ 32,418.55.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "BENJAMIN S. CHAVEZ v. CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No. 948-706, by the payment of $ 32,418.55 to be refunded from the Tax Collector's Office, for overpayment of demolition lien.

APPROVED AS TO FORM
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

JOHN E. CRIBBS, Director
Department of Public Works

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

50 066 09 03 03
GL 211 000010
020016 0000 $32,418.55

APR 25 1994

APPROVED:

RUDOLF NOTHENBERG
Chief Administrative Officer

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 13, 1994	June 20, 1994
Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Leal Migden	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Leal Maher Migden
Absent: Supervisors Conroy Kennedy Maher Shelley	Absent: Supervisors Kennedy Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
45-94-26

JUN 30 1994
Date Approved

Frank M. Jordan
Mayor

DOCUMENTS DEPT.
JUL 27 1994
SAN FRANCISCO
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FILE NO. 46-94-7 ORDINANCE NO. 245-94

[DISPOSITION OF LAWSUIT]

AUTHORIZING DISMISSAL WITHOUT PREJUDICE OF LITIGATION OF CITY AND COUNTY OF SAN FRANCISCO v. PETER BULLOCK.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to dismiss the action entitled "City and County of San Francisco v. Peter Bullock, Elke Bullock, The Abigail Hotel, Inc. and The Abigail Carriage Co. Inc.," San Francisco Superior Court No. 898-704 by the payment of $0, in exchange for a tolling agreement waiving the statute of limitations upon the refiling of the complaint upon the conclusion of the appeal in related proceedings brought by Peter Bullock against the City and County of San Francisco.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

DEPARTMENT OF PUBLIC WORKS

JOHN E. CRIBBS
Director

APPROVED:
JUN 10 5:21

CHIEF ADMINISTRATIVE OFFICER

BOARD OF SUPERVISORS

CC

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 13, 1994	June 20, 1994
Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Leal Migden	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Leal Maher Migden
Absent: Supervisors Conroy Kennedy Maher Shelley	Absent: Supervisors Kennedy Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 46-94-7

JUN 30 1994
Date Approved

Mayor

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FILE NO. 127-94-4.1 ORDINANCE NO. 246-94

[Transient Occupancy Tax]

AMENDING PART III, ARTICLE 7 (TAX ON TRANSIENT OCCUPANCY OF HOTEL ROOMS), OF THE SAN FRANCISCO MUNICIPAL CODE BY AMENDING SECTION 502.7 THERETO TO ADD THE CHINESE CULTURAL AND TRADE CENTER REDEVELOPMENT PROJECT AREA AS ONE OF THE REDEVELOPMENT PROJECT AREAS IN WHICH THE TAX AND SURCHARGES IMPOSED BY SECTIONS 502, 502.5 AND 502.6 OF ARTICLE 7 SHALL BE TEMPORARILY SUSPENDED TO ALLOW FOR THE IMPOSITION OF A 12 PERCENT TAX ON OCCUPANCIES OF GUEST ROOMS IN HOTELS IN THE PROJECT AREA, SUCH 12 PERCENT TAX SHALL BE LEVIED PURSUANT TO SECTION 7280 OF THE CALIFORNIA REVENUE AND TAXATION CODE.

Note: Additions are underlined, deletions are indicated by ~~strike outs~~.

BE IT ORDAINED BY THE PEOPLE OF THE CITY AND COUNTY OF SAN FRANCISCO:

Section 1. Part III, Article 7 of the San Francisco Municipal Code is hereby amended by amending Section 502.7 thereto as follows:

SEC. 502.7. TEMPORARY SUSPENSION OF TAX AND SURCHARGES FOR OCCUPANCIES IN HOTELS IN CERTAIN REDEVELOPMENT PROJECT AREAS.

(a) Suspension. Commencing on October 1, 1994, the provisions of Sections 502, 502.5 and 502.6 hereof shall be temporarily suspended and inapplicable to the occupancy of any guest room in any hotel located within the boundaries of the following San Francisco Redevelopment Agency Project Areas:

(1) Yerba Buena Center Project Area, as described in the Redevelopment Plan adopted by the Board of Supervisors on April 25, 1966, as amended on July 26, 1971, October 9, 1973, September 13, 1976, August 8, 1977, August 13, 1979, November 2, 1981 and December 1, 1986;

(2) Embarcadero-Lower Market (Golden Gateway) Project Area, as described in the Redevelopment Plan adopted by the Board of Supervisors on May 25, 1959, as amended on July 31, 1961, July 13, 1964, November 23, 1964, May 15, 1967, July 22, 1968, November 29, 1976 and December 1, 1986;

(3) Western Addition Project Area A-1, as described in the Redevelopment Plan adopted by the Board of Supervisors on May 28, 1956, as amended on January 30, 1961, July 31, 1961, January 14, 1963, February 25, 1963, July 3, 1964, October 26, 1981 and May 3, 1985;

(4) Western Addition Project Area A-2, as described in the Redevelopment Plan adopted by the Board of Supervisors on October 13, 1964, as amended on August 3, 1970, June 6, 1976, December 15, 1986, November 9, 1987 and August 10, 1992;

(5) South of Market Earthquake Recovery Redevelopment Plan (South of Market Project Area), as described in the Redevelopment Plan adopted by the Board of Supervisors on June 11, 1990; and

(6) Chinese Cultural and Trade Center Redevelopment Project Area, as described in the Redevelopment Plan adopted by

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the Board of Supervisors on November 8, 1965.

Each of the foregoing project areas shall hereinafter be individually referred to as a "SFRA Project Area."

(b) Duration. The foregoing suspension of Sections 502, 502.5 and 502.6 shall continue and remain in effect so long as Section 502.8 remains in effect. Immediately upon Section 502.8 no longer being effective, Sections 502, 502.5 and 502.6 shall again apply to all the SFRA Project Areas. In the event any portion of the transient occupancy tax levied by the City pursuant to Section 502.8 hereof is found to be invalid, illegal or unconstitutional, the suspension of Sections 502, 502.5 and 502.6 shall be rescinded by operation of law and the taxes and surcharges levied under such Sections shall be deemed to have been in full force and effect during the period the City collected the transient occupancy tax found to be invalid, illegal or unconstitutional.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Victor Castillo
VICTOR L. CASTILLO
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 20, 1994	June 27, 1994
Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Migden	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Migden
Absent: Supervisors Conroy Leal Maher Shelley	Absent: Supervisors Leal Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
127-94-4.1

JUN 30 1994
Date Approved

Frank M. Jordan
Mayor

(Curb Painting Fees)

AMENDING PART III OF THE SAN FRANCISCO MUNICIPAL CODE (REVENUE AND FINANCE/BUSINESS REGULATIONS) BY AMENDING SECTION 129.5 THEREOF TO INCREASE THE FEES FOR THE RENEWAL PAINTING OF WHITE AND GREEN ZONES.

NOTE: Additions or substitutions are underlined; deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part III of the San Francisco Municipal Code (Miscellaneous) is hereby amended by amending Section 129.5 thereof, to read as follows:

SEC. 129.5 PAINTING AND RENEWAL FEES FOR PASSENGER ZONES, LIMITED PARKING ZONES AND DRIVEWAY NO-PARKING ZONES. The painting fee and renewal fee for passenger zones, limited parking zones and driveway no-parking zones shall be as follows:

(1) Passenger Zones (White). Initial painting fee shall be $280 per zone. Renewal painting fees shall be ((($70)) $125 per zone and must be paid by the permittee every two years after the initial painting. Thirty days prior to each two-year anniversary of the initial painting, the ((Department of Public Works)) Department of Parking and Traffic shall mail the permittee a bill requiring payment of the renewal painting fee within 30 days. If payment by the permittee is received within the 30-day period, the ((Department of Public Works)) Department of Parking and Traffic shall repaint the permittee's zone. If

SUPERVISORS ALIOTO, BIERMAN

payment of the renewal painting is not received within the 30-day period, the ((Department of Public Works)) Department of Parking and Traffic shall mail notice to the permittee that such zone shall be removed if payment is not thereafter received within 10 days of the mailing of such notice. If payment is not received within said 10 days, the ((Department of Public Works)) Department of Parking and Traffic shall remove such zone. A "zone" is defined as 22 lineal feet or fraction thereof.

No white zones shall be permitted if adequate spaces such as red zones for fire hydrants or curb cuts for entrances to garages are available immediately adjacent to the proposed white zones.

(2) Limited Parking Zones (Green). Initial painting fee shall be $280 per zone. Renewal painting fees shall be ((($70)) $125 per zone and must be paid by the permittee every two years after the initial painting. Thirty days prior to each two-year anniversary of the initial painting, the ((Department of Public Works)) Department of Parking and Traffic shall mail the permittee a bill requiring payment of the renewal painting fee within 30 days. If payment by the permittee is received within the 30-day period, the ((Department of Public Works)) Department of Parking and Traffic shall repaint the permittee's zone. If payment of the renewal painting fee is not received within the 30-day period, the ((Department of Public Works)) Department of Parking and Traffic shall mail notice to the permittee that such

BOARD OF SUPERVISORS

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zone shall be removed if payment is not thereafter received within 10 days of the mailing of such notice. If payment is not received within said 10 days, the ((Department of Public Works)) Department of Parking and Traffic shall remove such zone. A "zone" is defined as 22 lineal feet or fraction thereof.

(3) Driveway No-Parking Zones (Red). Initial painting fee shall be $55 per zone. Upon request of the permittee for repainting, the renewal painting fee shall be $55 per zone. A "zone" is defined as six lineal feet or fraction thereof.

(4) There is hereby created a Curb Painting Fund wherein all funds received under the provisions of this Section shall be deposited. All expenditures from the Fund shall be for the costs related to the painting of curbs, and all such expenditures are hereby appropriated for said purposes.

APPROVED AS TO FORM:

LOUIS H. RENNE
City Attorney

By: Tommy Lee
Deputy City Attorney

RECOMMENDED

Bond M. Yee
for John E. Newlin
Executive Director
Deprtment of Parking and Traffic

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 13, 1994	June 20, 1994
Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Leal Migden	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Leal Maher Migden
Absent: Supervisors Conroy Kennedy Maher Shelley	Absent: Supervisors Kennedy Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
127-94-6

JUN 30 1994
Date Approved

Frank M. Jordan
Mayor

File No.127-94-6 Ordinance No. 247-94

E R R A T A

To add words inadvertently deleted which were adopted by Ordinance No. 580-85 approved on December 27, 1985 which amended Section 129.5, of Part III of the San Francisco Municipal Code as follows:

Page 1, Line 12 and 14 to add the word "painting" as follows:

SEC. 129.5 PAINTING AND RENEWAL PAINTING FEES FOR PASSENGER ZONES, LIMITED PARKING ZONES AND DRIVEWAY NO-PARKING ZONES. The painting fee and renewal painting fee for passenger zones, limited parking zones and driveway no-parking zones shall be as follows:

John L. Taylor

John L. Taylor
Clerk of the Board
September 22, 1994

(Curb Painting Fees)

AMENDING PART III OF THE SAN FRANCISCO MUNICIPAL CODE (REVENUE AND FINANCE/BUSINESS REGULATIONS) BY AMENDING SECTION 129.5 THEREOF TO INCREASE THE FEES FOR THE RENEWAL PAINTING OF WHITE AND GREEN ZONES.

NOTE: Additions or substitutions are underlined; deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part III of the San Francisco Municipal Code (Miscellaneous) is hereby amended by amending Section 129.5 thereof, to read as follows:

09/22/94
ejp

SEC. 129.5 PAINTING AND RENEWAL PAINTING FEES FOR PASSENGER ZONES, LIMITED PARKING ZONES AND DRIVEWAY NO-PARKING ZONES. The painting fee and renewal painting fee for passenger zones, limited parking zones and driveway no-parking zones shall be as follows:

(1) Passenger Zones (White). Initial painting fee shall be $280 per zone. Renewal painting fees shall be (($70)) $125 per zone and must be paid by the permittee every two years after the initial painting. Thirty days prior to each two-year anniversary of the initial painting, the ((Department of Public Works)) Department of Parking and Traffic shall mail the permittee a bill requiring payment of the renewal painting fee within 30 days. If payment by the permittee is received within the 30-day period, the ((Department of Public Works)) Department of Parking and Traffic shall repaint the permittee's zone. If

SUPERVISORS ALIOTO, BIERMAN

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payment of the renewal painting is not received within the 30-day period, the ((Department of Public Works)) Department of Parking and Traffic shall mail notice to the permittee that such zone shall be removed if payment is not thereafter received within 10 days of the mailing of such notice. If payment is not received within said 10 days, the ((Department of Public Works)) Department of Parking and Traffic shall remove such zone. A "zone" is defined as 22 lineal feet or fraction thereof.

No white zones shall be permitted if adequate spaces such as red zones for fire hydrants or curb cuts for entrances to garages are available immediately adjacent to the proposed white zones.

(2) Limited Parking Zones (Green). Initial painting fee shall be $280 per zone. Renewal painting fees shall be (($70)) $125 per zone and must be paid by the permittee every two years after the initial painting. Thirty days prior to each two-year anniversary of the initial painting, the ((Department of Public Works)) Department of Parking and Traffic shall mail the permittee a bill requiring payment of the renewal painting fee within 30 days. If payment by the permittee is received within the 30-day period, the ((Department of Public Works)) Department of Parking and Traffic shall repaint the permittee's zone. If payment of the renewal painting fee is not received within the 30-day period, the ((Department of Public Works)) Department of Parking and Traffic shall mail notice to the permittee that such

zone shall be removed if payment is not thereafter received within 10 days of the mailing of such notice. If payment is not received within said 10 days, the ((Department of Public Works)) Department of Parking and Traffic shall remove such zone. A "zone" is defined as 22 lineal feet or fraction thereof.

(3) Driveway No-Parking Zones (Red). Initial painting fee shall be $55 per zone. Upon request of the permittee for repainting, the renewal painting fee shall be $55 per zone. A "zone" is defined as six lineal feet or fraction thereof.

(4) There is hereby created a Curb Painting Fund wherein all funds received under the provisions of this Section shall be deposited. All expenditures from the Fund shall be for the costs related to the painting of curbs, and all such expenditures are hereby appropriated for said purposes.

APPROVED AS TO FORM:

LOUIS H. RENNE
City Attorney

By: Tony Lopez
Deputy City Attorney

RECOMMENDED

Bond M. Yee
for John E. Newlin
Executive Director
Deprtment of Parking and Traffic

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 13, 1994	June 20, 1994
Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Leal Migden	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Leal Maher Migden
Absent: Supervisors Conroy Kennedy Maher Shelley	Absent: Supervisors Kennedy Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
127-94-6

JUN 30 1994
Date Approved

Frank M. Jordan
Mayor

As amended in committee
June 15,1994.

FILE NO. 97-94-39 ORDINANCE NO. 248-94

[Revolving Funds]

AMENDING CHAPTER 10, ARTICLE XV OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 10.157-1, and 157-2 TO ~~INCREASE~~ DECREASE THE AMOUNT HELD IN THE DEPARTMENT OF SOCIAL SERVICES CASH REVOLVING FUNDS FOR AFDC AND INCREASE THE CASH REVOLVING FUNDS HELD FOR GA.

mlr
6/15

Note: Additions are underlined, deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 10, Article XV, of the San Francisco Administrative Code is hereby amended by amending Section 10.157-1 to read as follows:

SEC. 10.157-1. CASH REVOLVING FUNDS - DEPARTMENT OF SOCIAL SERVICES - AFDC: ((($150,000)) $100,000. The Controller is hereby authorized to transfer amounts up to ((($150,000)) $100,000 from the current appropriation for Aid to Families with Dependent Children ("AFDC") to create a separate revolving fund with a maximum balance of ((($150,000)) $100,000 to provide funds for immediate need checks for welfare cases, instead of food, rent, commodity and cash emergency orders, and for the replacement of mutilated checks.

/ / /

2682H/mmr

Section 2. Chapter 10, Article XV, of the San Francisco Administrative Code is hereby amended by amending Section 10.157-2 to read as follows:

SEC. 10.157-2. CASH REVOLVING FUNDS - DEPARTMENT OF SOCIAL SERVICES - GENERAL ASSISTANCE: ((($150,000)) $200,000. The Controller is hereby authorized to transfer amounts up to ((($150,000)) $200,000 from the current appropriation for General Assistance to a separate revolving fund to provide funds for immediate need checks for welfare cases, instead of food, rent, commodity and cash emergency orders, and for the replacement of mutilated checks.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By: Viviane Donald Elizondo
Deputy City Attorney

2682H/mmr

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
June 20, 1994	§	June 27, 1994
	§	
	§	
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Shelley	§	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Migden
	§	
Absent: Supervisor Migden	§	Absent: Supervisors Leal Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
97-94-39

JUL 07 1994
Date Approved

Frank M. Jordan
Mayor

(Smoking Prohibition)

AMENDING PART II, CHAPTER V OF THE SAN FRANCISCO MUNICIPAL CODE (HEALTH CODE) BY ADDING ARTICLE 19F, ENCOMPASSING SECTIONS 1009.20 THROUGH 1009.27, TO SUPERSEDE AND SUSPEND THE PROVISIONS OF ARTICLES 19A, 19B, 19C AND 19E AND TO PROHIBIT SMOKING IN ENCLOSED SPACES AND CERTAIN SPORTS STADIUMS.

The entire ordinance is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter V of the San Francisco Municipal Code (Health Code) is hereby amended by adding Article 19F, encompassing Sections 1009.20 through 1009.27, to read as follows:

ARTICLE 19F

PROHIBITING SMOKING IN ENCLOSED AREAS AND SPORTS STADIUMS

SEC. 1009.20. FINDINGS.

(a) The United States Surgeon General's 1986 Report on the Health Consequences of Involuntary Smoking reports the following:

(1) Involuntary smoking is a cause of disease, including lung cancer, in healthy nonsmokers.

(2) The children of parents who smoke compared with the children of non-smoking parents have an increased frequency of respiratory infections, increased respiratory symptoms, and slightly smaller rates of increase in lung function as the lung matures.

(3) The simple separation of smokers and nonsmokers within the same air space may reduce, but does not eliminate, the exposure of nonsmokers to environmental smoke.

(b) The Board of Supervisors finds and declares:

(1) Nonsmokers have no adequate means to protect themselves from the damage inflicted upon them when they involuntarily inhale tobacco smoke.

(2) Regulation of smoking in public places is necessary to protect the health, safety, welfare, comfort, and environment of nonsmokers.

(c) It is, therefore, the intent of the Board of Supervisors, in enacting this Article, to protect the nonsmoker from environmental tobacco smoke and to eliminate smoking, as much as possible, in public places.

SEC. 1009.21. DEFINITIONS. Unless the term is specifically defined in this Article or the contrary stated or

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clearly appears from the context, the definitions set forth in this Section shall govern the interpretation of this Article. The definitions set forth in this Article shall be construed so as to make the prohibition against smoking set forth herein broadly applicable.

(a) "Bar" means an area which is devoted to the serving of alcoholic beverages for consumption by patrons on the premises and in which the serving of food is only incidental to the consumption of such beverages.

(b) "Business establishment" means any retail establishment, office, business, store, factory, warehouse, storage facility or other place operated as a commercial venture. The term includes any place where services are provided or goods are manufactured, distributed, processed, assembled, sold or displayed for sale on a wholesale or retail basis. The term also includes any place operated as part of the commercial venture, such as places that provide accounting, management, personnel, information processing, accounting, communication, financial and other support services.

"Business establishment" includes, but is not limited to: (1) automobile dealerships, furniture or other showrooms for the display of merchandise offered for sale; (2) grocery, pharmacy, specialty, department and other stores which sell goods or merchandise; (3) service stations, stores or shops for the repair or maintenance of appliances, shoes, motor vehicles or other

items or products; (4) barbershops, beauty shops, cleaners, laundromats and other establishments offering services to the general public; (5) video arcade, poolhall, and other amusement centers; (6) offices providing professional services such as legal, medical, dental, engineering, accounting and architectural services; (7) banks, savings and loan offices, and other financial establishments; (8) hotels and motels, and other places that provide accommodations to the public, subject to the exceptions set forth in Section 1009.23.

"Business establishment" shall not include a separately enclosed business establishment directly administered and operated on site by a person or persons who own or have an ownership interest in the business if such establishment is smaller than 500 square feet.

(c) "Child care facility" means a facility in which a person, at the request and consent of a parent or legal guardian, provides care during a part of any 24-hour period for compensation, whether or not such person is licensed.

(d) "Educational facility" means any school or education institution, whether commercial or nonprofit, operated for the purpose of providing academic classroom instruction, trade, craft, computer or other technical training, or instruction in dancing, artistic, musical or other cultural skills.

(e) "Nonprofit establishment" means any facility used for social, recreational, health care or similar services, or office,

store, or other place operated by any corporation, unincorporated association or other entity created for charitable, philanthropic, educational, character building, political, social or other similar purposes, the net proceeds from the operation of which are committed to the promotion of the objects or purposes of the organization and not to private financial gain. A public agency is not a nonprofit entity.

(f) "Person" means any individual person, firm, partnership, association, corporation, company, organization, or legal entity of any kind.

(g) "Restaurant" means every enclosed restaurant, coffee shop, cafeteria, cafe, luncheonette, sandwich stand, soda fountain, or other enclosed eating establishment serving food to the general public.

(h) "Smoking" or "to smoke" means and includes inhaling, exhaling, burning or carrying any lighted smoking equipment for tobacco or any other weed or plant;

(i) "Sports arena" means sports stadiums, gymnasiums, health spas, boxing arenas, swimming pools, roller and ice rinks, bowling alleys and similar places where the public assembles either to engage in physical exercise, participate in athletic competition or witness sports events.

/ / /

/ / /

/ / /

SEC. 1009.22. PROHIBITING SMOKING IN BUILDINGS AND ENCLOSED STRUCTURES CONTAINING CERTAIN USES AND CERTAIN SPORTS STADIUMS.

(a) Smoking is prohibited in buildings and enclosed structures which contain any of the facilities or uses set forth below.

(1) Facilities owned or leased by the City and County of San Francisco; every commission, department or agency with jurisdiction over such property shall adopt regulations or policies implementing the provisions of this Article; provided, however, with respect to facilities located outside the City and County of San Francisco, the regulations or policies shall prohibit smoking in enclosed areas during those times that the public has access, except that (A) in any enclosed area a designated smoking area may be provided if it is physically separated from and no larger than the nonsmoking area, and (B) when the public does not have access to an enclosed area, the provisions of Article 19 apply.

(2) Facilities in which the business of any governmental body or agency is conducted, including hearing rooms, courtrooms or places of public assembly.

(3) Polling places.

/ / /

(4) Health facilities, including, but not limited to, hospitals, long term care facilities, doctors' and dentists' offices, inpatient rooms, and outpatient examination and treatment rooms.

(5) Educational facilities.

(6) Business establishments.

(7) Nonprofit establishments.

(8) Aquariums, galleries, libraries and museums.

(9) Child care facilities, except when located in private homes.

(10) Facilities used for exhibiting motion pictures, drama, dance, musical performance, lectures, or other entertainment.

(11) Sports arenas; provided, however, that subsection (b) shall govern sports stadiums as defined in that subsection.

(12) Convention facilities.

(13) Restaurants, subject to the provisions of Section 1009.24.

Smoking is prohibited throughout the building or structure and in the common areas, including the elevators, hallways, stairways, restrooms, conference and meetings rooms, and eating and break rooms.

(b) No owner, manager, or operator of a sports stadium shall knowingly or intentionally permit, and no person on the

premises shall engage in, the smoking of tobacco products in any enclosed or open space at a sports stadium except in (1) concourses and ramps outside seating areas, (2) private suites and corridors to private suites, and (3) areas designated for parking. Any portion of a sports stadium used as a bar or restaurant shall be governed by the provisions of this Article regulating smoking in bars and restaurants. For purposes of this subsection, a sports stadium means a publicly owned facility which has a seating capacity of at least 30,000 people.

(c) It is unlawful for any person to smoke in any area where this Article prohibits smoking. It is unlawful for the owner of any property, facility or establishment subject to this Article or, if a different person has the right to possession or management of such property, facility or establishment, for that person to permit any person to smoke in any area where smoking is prohibited by this Article.

(d) No person who owns, operates or manages property will be deemed to be in violation of the requirements of this Article with respect to persons smoking in such areas over whom they have no right of direction and control if they have taken the following reasonable steps to prevent smoking by such persons:

(1) Posted clear and prominent "no smoking" signs at each entrance to the premises.

(2) Requested, when appropriate, that such person refrain from smoking.

For purposes of this subsection, "reasonable steps" shall not include the physical ejectment of a person from the premises.

SEC. 1009.23. EXCEPTIONS. The following places shall not be subject to this Article:

(a) That portion of any hotel or motel lobby designated for smoking, provided that no hotel or motel shall designate more than 25% of any lobby for smoking, and provided further that no hotel or motel shall permit smoking in any room used for exhibit space.

(b) Hotel and motel guest room accommodations designated as smoking rooms, provided that hotels and motels shall designate at least 35% of the guest rooms as non-smoking.

(c) Facilities used to conduct charity bingo games pursuant to Penal Code Section 326.5 during such times that persons are assembled in the facility in connection with such games.

(d) Banquet rooms in use for private social functions.

(e) Bars. If a restaurant contains a bar, smoking shall be permitted in that portion that constitutes the bar.

(f) Private homes.

(g) Any store that engages exclusively in the sale of tobacco and tobacco related products and any portion of any store devoted exclusively to the sale of tobacco and tobacco related products.

SEC. 1009.24. OPERATIVE DATE, INTERIM REGULATION, AND HARDSHIP EXEMPTION FOR RESTAURANTS.

(a) Notwithstanding the provisions of Section 1009.22, the provisions of this Article prohibiting smoking in restaurants shall not be operative until January 1, 1995.

(b) Prior to January 1, 1995, smoking shall be prohibited in restaurants in lobbies, waiting areas, restrooms, and dining areas designated for nonsmoking. Unless the restaurant has been designated entirely nonsmoking, the owner, manager or operator of a restaurant shall allocate and designate by appropriate signage an adequate amount of space in these areas to meet the demands of both smokers and nonsmokers, and shall inform all patrons that nonsmoking areas are provided.

(c) On or after January 1, 1995, any owner or manager of a restaurant may apply to the Controller for an exemption from or modification of the requirements of this Article based on significant financial hardship caused by compliance with this Article.

(1) The applicant shall include all information required by the Controller. An application for exemption or modification shall be accompanied by a reasonable fee established by the Controller to cover the costs required to process the application and make a determination. The Controller shall give the Department of Public Health an opportunity to present relevant

information with respect to each application.

(2) The applicant shall have the burden of proof in establishing that this Article has created an unreasonable economic effect on the applicant's business and threatens the survival of the restaurant, and that this economic effect is not the result of seasonal fluctuations or other conditions unrelated to the requirements of this Article. The Controller shall act on the application pursuant to administrative regulations adopted by the Controller. The Controller shall not be required to conduct a hearing on the application. The Controller shall issue a decision in writing to the applicant and to any other person who has requested a copy.

(3) The decision of the Controller may be appealed within 15 days of the issuance of the decision to the Board of Permit Appeals by the applicant or by any person who deems that his or her interests or that the general public interest will be adversely affected by the decision. The Board of Permit Appeals may concur in, overrule or modify the Controller's decision. The provisions of Sections 8 through 16 of Part III of the San Francisco Municipal Code shall govern the appeal process.

/ / /

(4) No exemptions or modifications shall be granted to any restaurant unless it has been smokefree for at least one year. Notwithstanding any other provision of this Article, any restaurant which has been granted an exemption or modification from the requirements of this Article shall not permit smoking in more than 25% of the seating or floor space of the restaurant.

(5) Exemptions granted by the Controller or the Board of Permit Appeals shall be valid for a period not to exceed 12 months and may be renewed upon application to the Controller. Applications for renewal shall be subject to the same requirements and procedures as initial applications.

SEC. 1009.25. VIOLATIONS AND PENALTIES.

(a) The Director of Public Health may enforce the provisions of this Article against violations by serving notice requiring the correction of any violation within a reasonable time specified by the Director. Upon the violator's failure to comply with the notice within the time period specified, (1) the Director may request the City Attorney to maintain an action for injunction to enforce the provisions of this Article and for assessment and recovery of a civil penalty for such violation and (2) the owner of the premises or the person with the right to

possession and management of the property may maintain an action for injunctive relief to enforce the provisions of this Article and an action for damages. Damages may be awarded up to $500 a day for each day the violation occurs or is permitted to continue. It is necessary to specify the amount of such damages because of the extreme difficulty that the owner or other authorized person would have in establishing injury based on lost business, lost productivity due to health injuries caused by tobacco smoke, and other costs arising because of the health problems created by smoking.

(b) Any person who violates or refuses to comply with the provisions of this Article, shall be liable for a civil penalty, not to exceed $500 for each day such violation is committed or permitted to continue, which penalty shall be assessed and recovered in a civil action brought in the name of the people of the City and County of San Francisco, by the City Attorney, in any court of competent jurisdiction. Any penalty assessed and recovered in a civil action brought pursuant to this Section shall be paid to the Treasurer of the City and County of San Francisco.

(c) In addition to any other penalty or provision regarding enforcement set forth in this Article, any violation of the prohibition set forth in this article is a misdemeanor punishable by a fine not to exceed two hundred and fifty dollars ($250) for a first violation, three hundred and fifty dollars

($350) for a second violation within one year, and six hundred dollars ($600) for a third and for each subsequent violation within one year.

SEC. 1009.26. DISCLAIMERS. In adopting and undertaking the enforcement of this ordinance, the City and County of San Francisco is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

SEC. 1009.27. RELATIONSHIP TO OTHER SMOKING RESTRICTIONS. The provisions of this Article 19F are intended to supersede the smoking regulations set forth in Articles 19A, 19B, 19C and 19E. The provisions of Articles 19A, 19B, 19C and 19E are hereby suspended. Notwithstanding the above, if the provisions of this Article 19F are determined invalid in whole or substantial part for any reason, the provisions of Article 19A, 19B, 19C and 19E shall no longer be suspended and shall become immediately operative. Articles 19A, 19B, 19C, and 19E encompass sections 1006, 1006.1, 1006.2, 1006.3, 1006.4, 1006.5, 1007, 1007.1, 1007.2, 1007.3, 1007.4, 1007.5, 1008, 1008.1, 1008.2, 1008.3,

1008.4, 1008.5, 1008.6, 1008.7, 1008.8, 1009.5, 1009.6, 1009.7, 1009.8, 1009.9, and 1009.10. The Clerk of the Board shall cause to be printed appropriate notations in the Health Code indicating that the provisions of Articles 19A, 19B, 19C and 19E are suspended, unless and until such time that these provisions become operative again.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By Paula Jesson
Deputy City Attorney

2663H

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 20, 1994	June 27, 1994
Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Migden
Absent: Supervisors Conroy Leal Maher	Absent: Supervisors Leal Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
118-94-2

JUL 07 1994
Date Approved

Frank M. Jordan
Mayor

Amendment of the Whole
April 27, 1994.

FILE NO. 127-94-2 ORDINANCE NO. 250-94

[Stadium Operator Admission Tax]

AMENDING ARTICLE 11 OF PART III OF THE SAN FRANCISCO MUNICIPAL CODE BY AMENDING SECTION 802A TO MAKE TECHNICAL CHANGES AND TO EXTEND THE TEMPORARY ADMISSION TAX, EFFECTIVE JANUARY 1, 1994, AND AMENDING SECTION 804 TO CHANGE THE DEADLINES FOR REMITTING PORTIONS OF THE TAX TO THE CITY.

NOTE: Additions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Article 11 of Part III of the San Francisco Municipal Code is hereby amended by amending Sections 802A and 804 to read as follows:

SEC. 802A. TEMPORARY ADMISSION TAX. (a) There is hereby imposed a temporary admission tax on any operator of athletic contests, exhibition and other special events based upon the price of each admission ticket sold for the right to occupy a seat or space in any stadium within the City and County of San Francisco for such event. The amount of the temporary admission tax shall be as follows: For tickets priced at $27 or more (including the admission tax under Section 802) the amount of the temporary admission tax shall be $0.75 per ticket; for tickets prices at less than $27 (including the admission tax under Section 802) the amount of the

temporary tax shall be $0.25. This temporary admission tax shall be in addition to the admission tax under Section 802.

(b) The exemptions provided in Section 807, Subsections (2) through (5) shall apply to the temporary admission tax imposed by this section. The exemption provided in Section 807, subsection (1) shall not apply to the temporary admission tax imposed by this section. ((from the tax imposed by Section 802 shall likewise be exemptions from this temporary admission tax, provided that in a stadium having a seating capacity of 25,000 or more, admission tickets sold at $12.99 or less shall not, for that reason alone, be exempt from this temporary admission tax.))

(c) Notwithstanding anything to the contrary in Section 841, or any other provision of law, all monies collected pursuant to this temporary admission tax shall be deposited in the general fund, and shall not be earmarked for any special purpose whatsoever.

(d) For tickets to professional football games and professional baseball games, this temporary admission tax shall apply only to tickets for games during the 1992 ((and)), 1993, 1994 and 1995 seasons, and said tax shall expire after the ((1993)) 1995 season; for all other tickets, this temporary admission tax shall expire June 30, ((1993)) 1995. The temporary admission tax for tickets to professional games for the 1992 season shall be remitted to the City prior to July 1, 1992. The temporary admission tax for tickets to professional games for the 1993 season shall be remitted to the City prior to July 1, 1993. The temporary admission tax for

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JUL 27 1994
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tickets to professional games for the 1994 and 1995 seasons shall be remitted to the City according to the provisions of subsections (a) and (b) of Section 804 herein.

SEC. 804. COLLECTION OF TAX: CLASSIFICATION OF PERSONS COLLECTING. (a) Regularly scheduled professional games. Any operator of a major league professional baseball or football club which uses and occupies a stadium owned by the City and County for a regular schedule of games as set forth in annual schedules established in each calendar year for professional baseball or football games (including preseason, regular and championship schedules) shall within five days after the first day of each calendar month following the start of such schedule of games pay the tax together with a return to the Tax Collector at his office, provided that any portion of any tax which is collected pursuant to Section 802 herein and which exceeds fifty cents (.50) per ticket shall be paid either monthly or annually, at the option of the club. If paid annually, payment shall be due on or before February 1 of each year for the sale of admission tickets for games played during the previous twelve months.

(b) Season tickets for professional games. Taxes imposed on the sale of season admission tickets or subscriptions for the 1971 baseball or football seasons, whether sold in 1970 or 1971, shall be due and payable within five days after the first day of the calendar month following the month whether such tickets or subscriptions are sold.

From and after the 1971 baseball or football seasons, taxes imposed on the sale of season tickets or subscriptions shall be due and payable within five days after the first day of the calendar month following the month wherein such tickets or subscriptions are sold, provided that any portion of any tax which is collected pursuant to Section 802 herein and which exceeds fifty cents (.50¢) per ticket shall be paid either monthly or annually, at the option of the club. If paid annually, payment shall be due on or before February 1 of each year for the sale of admission tickets for games played during the previous twelve months.

(c) Any person who operates an occasional athletic contest, a special event or exhibition within any stadium shall within five days after the completion of the scheduled event pay the proceeds of the tax to the Tax Collector.

Section 2. Extension of the temporary stadium operator admission tax shall be effective on January 1, 1994.

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By: Julia M. Friedlander
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
June 20, 1994	§	June 27, 1994
	§	
	§	
Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Migden	§	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Migden
	§	
Absent: Supervisors Conroy Leal Maher Shelley	§	Absent: Supervisors Leal Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
127-94-2

JUL 0 7 1994
Date Approved

Frank M. Jordan
Mayor

As amended in Board
6/20/94

INTERIM

CITY AND COUNTY OF SAN FRANCISCO

CONSOLIDATED BUDGET

AND

ANNUAL APPROPRIATION ORDINANCE

FISCAL YEAR ENDING JUNE 30, 1995

File No. 101-94- 1 Ordinance No. 251-94

ORIGINAL
When Stamped In Red

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 20, 1994	June 27, 1994
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Migden
	Absent: Supervisors Leal Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-94-1

JUL 07 1994
Date Approved

Frank M. Jordan
Mayor

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File No. 102-94-1

As amended in committee 6/15/94.
As amended in Board 6/20/94
FISCAL YEAR 1994-95

Ordinance No. 252-94

INTERIM
AN ORDINANCE ENUMERATING POSITIONS IN THE ANNUAL BUDGET AND APPROPRIATION ORDINANCE FOR THE FISCAL YEAR ENDING JUNE 30, 1995, CONTINUING, CREATING OR ESTABLISHING THESE POSITIONS; ENUMERATING AND INCLUDING THEREIN ALL POSITIONS CREATED BY CHARTER OR STATE LAW FOR WHICH COMPENSATIONS ARE PAID FROM CITY AND COUNTY FUNDS AND APPROPRIATED IN THE ANNUAL APPROPRIATION ORDINANCE; AUTHORIZING APPOINTMENTS OR CONTINUATION OF APPOINTMENTS THERETO; SPECIFYING AND FIXING THE COMPENSATIONS AND WORK SCHEDULES THEREOF; AND AUTHORIZING APPOINTMENTS TO TEMPORARY POSITIONS AND FIXING COMPENSATIONS THEREFOR.

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 20, 1994	June 27, 1994
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Migden
	Absent: Supervisors Leal Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 102-94-1

JUL 07 1994
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 9-94-1 ORDINANCE NO. 253-94

(Street Acceptance)

ACCEPTING ROADWAY, INCLUDING CURBS, OF TWENTY-SIXTH STREET, BETWEEN TREAT AVENUE AND HARRISON STREET

Be it ordained by the people of the City and County of San Francisco:

SECTION 1. Pursuant to Department of Public Works Order No. 166,020 and Section 7.601 of the Charter, the roadway and curbs of the following designated street is hereby accepted by the City and County of San Francisco.

Twenty-Sixth Street - Between Treat Avenue and Harrison Street

RECOMMENDED:

Director of Public Works

DESCRIPTION APPROVED:

By City Engineer

APPROVED:

Chief Administrative Officer

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By Deputy City Attorney

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading

June 27, 1994

Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy [redacted] Migden [redacted]

Absent: Supervisors Leal Maher Shelley

Finally Passed

July 5, 1994

Ayes: Supervisors Alioto Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley

Absent: Supervisors Bierman Conroy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 9-94-1

JUL 15 1994

Date Approved

Mayor

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FILE NO. 45-94-31

ORDINANCE NO. 254-94

RO #93321

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF JAMES WONG AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $35,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "JAMES WONG v. CITY AND COUNTY OF SAN FRANCISCO, et al.,"San Francisco Superior Court No.951-438, by the payment of $35,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:
Police Department

Anthony D. Ribera,
Chief

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 0938
309781 1450 $35,000.00

MAY 25 1994

APPROVED:

SECRETARY
Police Commission

BOARD OF SUPERVISORS

CC

Board of Supervisors, San Francisco

Passed for Second Reading

June 27, 1994

Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy [redacted] Migden [redacted]

Absent: Supervisors Leal Maher Shelley

Finally Passed

July 5, 1994

Ayes: Supervisors Alioto Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley

Absent: Supervisors Bierman Conroy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
45-94-31

JUL 15 1994

Date Approved

Mayor

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FILE NO. 45-94-32

ORDINANCE NO. 255-94

RO #93317

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF WU AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $8,500.00.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "WU v. CITY AND COUNTY OF SAN FRANCISCO," Municipal Court No. 067-525, by the payment of $8,500.00.

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

PARK AND RECREATION DEPARTMENT

MARY E. BURNS
General Manager

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

MAY 25 1994

01 001 97 09 42
620245 1450 $8,500.00

APPROVED:

PARK AND RECREATION COMMISSION

SECRETARY

BOARD OF SUPERVISORS

CC

Board of Supervisors, San Francisco

Passed for Second Reading

June 27, 1994

Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy [redacted] Migden [redacted]

Absent: Supervisors Leal Maher Shelley

Finally Passed

July 5, 1994

Ayes: Supervisors Alioto Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley

Absent: Supervisors Bierman Conroy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
45-94-32

JUL 15 1994

Date Approved

Mayor

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FILE NO. 45-94-33 ORDINANCE NO. 256-94

RO #93313

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF WAI FAN CHAN LO, KENNETH LO AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $20,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "WAI FAN CHAN LO, KENNETH LO v. CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No. 951-488, by the payment of $20,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

JOHN NEWLIN
Executive Director
Parking & Traffic Commission

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 36
310177 1450 $20,000.00

MAY 18 1994

APPROVED:

SECRETARY
Parking & Traffic Commission

1948b

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading

June 27, 1994

Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy [redacted] Migden [redacted]

Absent: Supervisors Leal Maher Shelley

Finally Passed

July 5, 1994

Ayes: Supervisors Alioto Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley

Absent: Supervisors Bierman Conroy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-94-33

JUL 15 1994
Date Approved

Mayor

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FILE NO. 45-94-34

ORDINANCE NO. 257-94

RO #93318

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF STEPHANIE ALLEN v. CITY AND COUNTY OF SAN FRANCISCO, et al. for $20,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "STEPHANIE ALLEN v. CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No. 953-062, by the payment of $20,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

MARY E. BURNS
General Manager

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 42
620245 1450 $20,000.00

MAY 25 1994

0698F

APPROVED:

SECRETARY
Recreation and Park Commission

BOARD OF SUPERVISORS

cc

Board of Supervisors, San Francisco

Passed for Second Reading

June 27, 1994

Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy [redacted] Migden [redacted]

Absent: Supervisors Leal Maher Shelley

Finally Passed

July 5, 1994

Ayes: Supervisors Alioto Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley

Absent: Supervisors Bierman Conroy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-94-34

JUL 15 1994

Date Approved

Mayor

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FILE NO. 27-94-8 ORDINANCE NO. 258-94

CC

(Airport - Airline Lease)

APPROVING THE EARLY RELINQUISHMENT OF LEASE NO. 66-0171, FOR PLOT 1C, BETWEEN UNITED AIR LINES, INC. AND THE CITY AND COUNTY OF SAN FRANCISCO, ACTING BY AND THROUGH ITS AIRPORTS COMMISSION.

Be it ordained by the People of the City and County of San Francisco:

SECTION 1: Pursuant to Section 7.402-1 of the Charter, the Board of Supervisors hereby approves the early termination of Lease No. 66-0171 for Plot 1C between United Air Lines, Inc. and the City and County of San Francisco, acting by and through its Airports Commission.

APPROVED AS TO FORM:

LOUISE H. RENNE

City Attorney

By _____
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 27, 1994	July 5, 1994
Ayes: Supervisors Alioto Bierman [redacted] Hallinan Hsieh Kaufman Kennedy [redacted] Migden Shelley	Ayes: Supervisors Alioto Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley
Absent: Supervisors Conroy Leal Maher	Absent: Supervisors Bierman Conroy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 27-94-8

JUL 15 1994
Date Approved

Frank M. Jordan
Mayor

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JUL 27 1994
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FILE NO. 93-94-14 ORDINANCE NO. 259-94

(Memorandum of Understanding)

AN ORDINANCE IMPLEMENTING THE FISCAL PROVISIONS OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND COUNTY OF SAN FRANCISCO AND THE SAN FRANCISO POLICE OFFICERS ASSOCIATION, LOCAL 911 FOR THE RANKS OF Q-60 LIEUTENANT, Q-80 CAPTAIN, 0460 POLICE COMMISSION SECRETARY, 0488 COMMANDER AND 0400 DEPUTY CHIEF FOR THE PERIOD JULY 1, 1994 THROUGH JUNE 30, 1995.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby adopts and implements the fiscal provisions including the rates of compensation set forth in the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers Association, Local 911 for the ranks of Q-60 Lieutenant, Q-80 Captain, 0460 Police Commission Secretary, 0488 Commander and 0400 Deputy Chief as ratified by the Board of Supervisors by Resolution No. 529-92 on June 26, 1992, such fiscal provisions and rates of compensation to be effective July 1, 1994 through June 30, 1995. A copy of the memorandum of understanding is on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Vicki A. Clayton
Vicki A. Clayton
Deputy City Attorney

26011

BOARD OF SUPERVISORS

CC

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 27, 1994	July 5, 1994
Ayes: Supervisors Alioto Bierman [redacted] Hallinan Hsieh Kaufman Kennedy [redacted] Migden Shelley	Ayes: Supervisors Alioto Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley
Absent: Supervisors Conroy Leal Maher	Absent: Supervisors Bierman Conroy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
93-94-14

JUL 15 1994
Date Approved

Mayor

DOCUMENTS DEPT.
JUL 27 1994
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FILE NO. 93-94-15 ORDINANCE NO. 260-94

(Memorandum of Understanding)

AN ORDINANCE IMPLEMENTING THE FISCAL PROVISIONS OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND COUNTY OF SAN FRANCISCO AND THE SAN FRANCISO POLICE OFFICERS ASSOCIATION, LOCAL 911 FOR THE RANKS OF Q-2 POLICE OFFICER, Q-20 POLICE WOMAN, Q-35 ASSISTANT INSPECTOR, 0308 INSPECTOR, AND Q-50 SERGEANT FOR THE PERIOD JULY 1, 1994 THROUGH JUNE 30, 1995.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby adopts and implements the fiscal provisions including the rates of compensation set forth in the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers Association, Local 911 for the ranks of Q-2 Police Officer, Q-20 Police Woman, Q-35 Assistant Inspector, 0308 Inspector, and Q-50 Sergeant as ratified by the Board of Supervisors by Resolution No. 529-92 on June 26, 1992, such fiscal provisions and rates of compensation to be effective July 1, 1994 through June 30, 1995. A copy of the memorandum of understanding is on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Vicki A. Clayton
Vicki A. Clayton
Deputy City Attorney

26011

BOARD OF SUPERVISORS

cc

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 27, 1994	July 5, 1994
Ayes: Supervisors Alioto Bierman [redacted] Hallinan Hsieh Kaufman Kennedy [redacted] Migden Shelley	Ayes: Supervisors Alioto Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley
Absent: Supervisors Conroy Leal Maher	Absent: Supervisors Bierman Conroy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
93-94-15

JUL 15 1994
Date Approved

Frank M. Jordan
Mayor

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JUL 27 1994
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FILE NO. 93-94-16 ORDINANCE NO. 261-94

(Memorandum of Understanding)

AN ORDINANCE IMPLEMENTING THE FISCAL PROVISIONS OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND COUNTY OF SAN FRANCISCO AND THE SAN FRANCISO FIRE FIGHTERS UNION, LOCAL 798, IAFF, AFL-CIO FOR THE PERIOD JULY 1, 1994 THROUGH JUNE 30, 1995.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby adopts and implements the fiscal provisions including the rates of compensation set forth in the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Firefighters Union, Local 798, IAFF, AFL-CIO as ratified by the Board of Supervisors by Resolution No. 526-92 on June 25, 1992, such fiscal provisions and rates of compensation to be effective July 1, 1994 through June 30, 1995. A copy of the memorandum of understanding is on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Vicki A. Clayton
Vicki A. Clayton
Deputy City Attorney

26011

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 27, 1994	July 5, 1994
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy [redacted] Migden Shelley	Ayes: Supervisors Alioto Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley
Absent: Supervisors Leal Maher	Absent: Supervisors Bierman Conroy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 93-94-16

JUL 15 1994
Date Approved

Frank M. Jordan
Mayor

DOCUMENTS DEPT.
JUL 27 1994
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FILE NO. 115-94-3 ORDINANCE NO. 262-94

(City Planning)

AMENDING ARTICLE 6 OF THE SAN FRANCISCO PLANNING CODE BY AMENDING SECTION 603 THEREOF, TO PERMIT ADVERTISING ON PUBLICLY OWNED PROPERTY IN AN RH-1D DISTRICT ADJACENT TO A C-2 DISTRICT, PROVIDED THAT SUCH ADVERTISING FACES A C-2 DISTRICT, AND ADOPTING FINDINGS PURSUANT TO CITY PLANNING CODE SECTION 101.1.

Note: Additions or substitutions are underlined; deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1: The San Francisco Planning Code is hereby amended by amending Section 603 thereof to read as follows:

SEC. 603. EXEMPTED SIGNS. Nothing in this Article 6 shall apply to any of the following signs:

(a) Official public notices, and notices posted by public officers in performance of their duties;

(b) Governmental signs for control of traffic and other regulatory purposes, street signs, danger signs, railroad crossing signs, and signs of public service companies indicating danger and aids to service or safety;

(c) Temporary display posters, without independent structural support, in connection with political campaigns and with civic noncommercial health, safety and welfare campaigns, provided that in R districts such posters shall be removed within

60 days following the conclusion of the campaign;

(d) Flags, emblems, insignia and posters of any nation or political subdivision, and temporary displays of a patriotic, religious, charitable or other civic character;

(e) House numbers, whether illuminated or not, "no trespassing," "no parking," and other warning signs;

(f) Commemorative plaques placed by recognized historical agencies;

(g) Signs within a stadium, open-air theater or arena which are designed primarily to be viewed by patrons within such stadium, open-air theater or arena;

(h) Religious symbols attached to buildings if not projecting beyond any street property line or building setback line;

(i) Flags indicating weather conditions, and single flags which are emblems of business firms, enterprises and other organizations;

(j) Two general advertising signs each not exceeding twenty-four (24) square feet in area on either a transit shelter or associated advertising kiosk furnished by contract with the Public Utilities Commission or Public Transportation Commission for the Municipal Railway in RM-2, RM-3, RM-4, RC, NC, C, M and South of Market Districts, and in those P Districts where such signs would not adversely affect the character, harmony or visual integrity of the district as determined by the City Planning

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Commission, ((except that)) and eight general advertising signs each not exceeding twenty-four (24) square feet in area on transit shelters located on publicly owned property on a high level Municipal Railway boarding platform in an RH-1D District adjacent to a C-2 District, provided that such advertising signs solely face the C-2 District.

Notwithstanding the above, no sign shall be placed on any transit shelter or associated advertising kiosk located on any sidewalk which shares a common boundary with any property under the jurisdiction of the Recreation and Park Commission, with the exception of Justin Herman Plaza; on any sidewalk on Zoo Road; on Skyline Boulevard between Sloat Boulevard and John Muir Drive; on John Muir Drive between Skyline Boulevard and Lake Merced Boulevard; or on Lake Merced Boulevard on the side of Harding Park Municipal Golf Course, or any sidewalk on Sunset Boulevard between Lincoln Way and Lake Merced Boulevard; on any sidewalk on Legion of Honor Drive; on any sidewalk on The Embarcadero; in the Civic Center Special Sign Districts as established in Section 608.3 of this Code; or in the Market Street Special Sign District as established in Section 608.8 of this Code.

(k) Information plaques or signs which identify to the public open space resources, architectural features, creators of artwork, or otherwise provide information required by this Code or by other City agencies, or an identifying sign which directs the general public and/or patrons of a particular establishment

to open space or parking resources, provided that such sign shall not project more than three inches from the wall and that its dimensions shall be no greater than one by two feet;

(l) Non-illuminated art murals within the South of Market Base District, if they project no more than 18 inches from the pre-existing surface of a structure.

Section 2. PROPOSITION M FINDINGS. The Board of Supervisors, having reviewed the proposed legislation after hearing public testimony, finds and declares that this ordinance is in conformity with the priority policies of Section 101.1(b) of the City Planning Code and with the City's Master Plan, and hereby adopts the findings of the City Planning Commission, as set forth in Resolution No. 13697, and incorporates said findings by reference.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By Robin Reitzes
ROBIN M. REITZES
Deputy City Attorney

3836P

cc

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
June 27, 1994	§	July 5, 1994
Ayes: Supervisors Alioto Bierman [redacted] Hallinan Hsieh Kaufman Kennedy [redacted] Migden [redacted]	§	Ayes: Supervisors Alioto Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley
Absent: Supervisors Conroy Leal Maher Shelley	§	Absent: Supervisors Bierman Conroy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
115-94-3

JUL 15 1994
Date Approved

Frank M. Jordan
Mayor

FILE NO. 127-94-8 ORDINANCE NO. 263-94

[Transient Occupancy Tax]

AMENDING PART III OF THE SAN FRANCISCO ~~ADMINISTRATIVE~~ MUNICIPAL CODE BY AMENDING SECTION 515 TO LIMIT CERTAIN FISCAL YEAR 1994-95 ALLOCATIONS TO THE AMOUNTS ALLOCATED IN FISCAL YEAR 1993-94.

NOTE: Additions are underlined; deletions are in ((double parentheses))

Be it ordained by the people of the City and County of San Francisco:

Section 1. Part III of the San Francisco ~~Administrative~~ Municipal Code is hereby amended by amending Section 515 to read as follows:

SEC. 515. ADMINISTRATION AND AUTHORITY OF TAX COLLECTOR GENERALLY; HOTEL ROOM TAX FUND ALLOCATIONS THEREFROM. The Tax Collector shall enforce the provisions of this Article and may prescribe, adopt and enforce rules and regulations relating to the administration and enforcement of this Article. The Tax Collector may prescribe the extent to which any ruling or regulations shall be applied without retroactive effect.

The Tax Collector shall transmit all monies collected pursuant to this Article to the Treasurer for deposit to the credit of a fund to be known as the Hotel Room Tax Fund. Such fund shall be used solely for the following purposes:

(1) Commencing on July 1, 1993, 51.77 percent of the total amount of the monies credited to the Hotel Room Tax Fund which are attributable to occupancies on and after July 1, 1984 shall be specifically allocated to and set aside for the following purposes

provided that such percent shall be 51.65 percent in fiscal year 1994-95 and 51.53 percent in fiscal year 1995-96 and thereafter:

(a) Prior to the commencement of Base Rental (as such term is defined in the Project Lease between the City and County of San Francisco [hereinafter referred to as City] and the San Francisco Redevelopment Agency) for the acquisition, construction and financing of a convention center within the Yerba Buena Center Redevelopment Project Area [hereinafter referred to as Project Area], together with all excavation, filling, works, properties and structures necessary or convenient therefor, and for the preparation of architectural plans, engineering studies and such other and further expenses relating to the financing, construction and completion of said convention center, and for all expenses reasonably related to operation, maintenance and improvement of Brooks Hall and Civic Auditorium; and

(b) After commencement of Base Rental under said Project Lease, for Base Rental and Additional Rental as provided for in said Project Lease, and for all expenses reasonably related to operation, maintenance and improvement of said convention center, Brooks Hall and Civic Auditorium.

(c) Commencing on July 1, 1993, 9.88 percent of the total estimated annual revenue in the Hotel Room Tax Fund, attributable to occupancies on and after July 1, 1993 shall be specifically appropriated to the Office of the Chief Administrative Officer to contract with the San Francisco Convention and Visitors Bureau

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consistent with the authority conferred upon the Chief Administrative Officer by Charter Section 3.201 to pay the administrative and operation expenses of the San Francisco Convention and Visitors Bureau. The percent in fiscal year 1994-95 shall be 9.82 percent and the percent in fiscal year 1995-96 and thereafter shall be 9.76 percent.

The monies allocated and set aside pursuant to this Subsection (1) are appropriated to the Office of the Chief Administrative Officer, which is hereby authorized to expend such monies for the purposes set forth in this Subsection (1).

(2) Commencing June 30, 1978, 6.23 percent of the total amount of the monies credited to the Hotel Room Tax Fund, attributable to occupancies on and after June 30, 1978, pursuant to this Article for a period not to exceed 30 years, less $60,000 a year, shall be specifically appropriated to the Office of the Chief Administrative Officer to facilitate the construction of low-income housing in the Project Area and on certain parcels adjacent thereto, including, as may be necessary, payments for architecture, engineering, maintenance and operation, construction, financing and rent supplements for low-income households; provided, however, expenditures of the funds derived from the allocation set forth in this Subsection (2) are to be made in accordance with the following budgetary limitations.

(A) The first available funds shall be used exclusively to facilitate development of low-cost housing in the Project Area and

on certain parcels adjacent thereto, including, but not limited to, expenses pertaining to the preparation of architectural and engineering programs, plans, specifications, estimates, land acquisition and expenses incurred by the City.

(B) The funds next available in excess of the amount required for the purposes described in (A) above shall be used exclusively to finance the construction of low-cost housing in the Project Area and on certain parcels adjacent thereto, including lease rental payment in support of Redevelopment Agency bonds [in the maximum principal amount feasible pursuant to the Controller's estimate of future revenues to be derived from 6.23 percent of the Hotel Room Tax Fund less $60,000 per year provided for in this Subsection (2)], or, alternatively, mortgage payments for other financing used to facilitate the construction of housing; and also including costs of maintenance, operation, furniture and equipment relative to said housing and the administration thereof.

(C) The funds next available in excess of the amount required for the purposes described in (A) and (B) above shall be used to provide the funds necessary to reduce rentals to 100 percent of the units of housing constructed in the Project Area and on certain parcels adjacent thereto to rent-level categories equivalent to those then in effect in public housing in the City.

(D) The funds next available in excess of the amount required for the purposes described in (A), (B) and (C) above shall be retained in a maintenance, operation, furniture and equipment

reserve fund which shall be allowed to accumulate in the maximum annual amount of $100,000 up to a maximum collective amount of $1,000,000 to insure the maintenance and operation of the housing constructed in the Project Area and on certain parcels adjacent thereto.

(E) Notwithstanding the foregoing budgetary limitations, commencing on January 1, 1987, $400,000 per year for a period of 10 years, not to exceed a total sum of $4,000,000, shall be specifically allocated and set aside by the Chief Administrative Officer, from the allocation set forth in this Subsection (2), for rent supplements for low-income households or other subsidies which may be required for transfer to the rent supplement program under the jurisdiction of the Mayor for administration and rent supplements, such administration cost not to exceed eight percent of the total sum allocated for rent supplement.

(F) Funds next available in excess of the amount required for the purposes described in (A), (B), (C), (D) and (E) above shall be applied to construct or rehabilitate low-income rental housing for the elderly and physically handicapped in San Francisco which meet all of the following criteria:

(i) One hundred percent of the units are rental, excepting staff-occupied units, which are affordable to low-income elderly households and will remain so for 40 years;

(ii) The project is developed and controlled during that period by a nonprofit corporation, not excluding partnership ownership

where the nonprofit corporation is the managing general partner;

(iii) Additional project funding includes funding from sources other than City and County of San Francisco.

(G) The funds next available in excess of the amount required for the purposes described in (A), (B), (C), (D), (E) and (F) above may be applied, at the sole option of the City, to the early retirement of bonds or other evidence of indebtedness used to finance low-cost housing in the Project Area or certain parcels adjacent thereto; or may be applied to pay for bridges, ramps, concourse and landscaping to further enhance the convention center in the Project Area.

(H) Notwithstanding any other provisions of this Subsection (2), to the extent that the City becomes obligated to make lease rental payments to the Redevelopment Agency in support of Redevelopment Agency low-income housing lease revenue bonds or a series of such bonds, the obligation of the City to make the appropriate allocations referred to in this Subsection (2) shall be deemed proportionately discharged. In the event that such bonds are paid and discharged prior to maturity, the foregoing obligation to make such appropriations and allocations shall be deemed to be proportionately discharged.

(I) In the event that other public and private funds in the future become available to construct or otherwise subsidize the low-income housing and related expenses hereinabove referred to, the Redevelopment Agency or the City may use such funds in lieu of the

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proceeds of the sale of the Redevelopment Agency low-income housing lease revenue bonds hereinabove described, and, to the extent that such funds become available and are utilized, the obligations of the Redevelopment Agency and the City to finance the low-income housing hereinabove described shall be deemed to be proportionately discharged.

(J) Once each year, as soon as practicable after June 30th, the Chief Administrative Officer shall ascertain the amount of money appropriated pursuant to this Subsection (2) which has not been expended or reserved for a specific use as provided herein and shall, following a period of public comment, prepare a report setting forth a program for expenditure of such money.

(4) Commencing on June 30, 1978 an additional $100,000 per year for a period not to exceed 30 years shall be set aside to the Office of the Chief Administrative Officer for use in facilitating the production of low-income housing in the Project Area and on certain parcels adjacent thereto, as provided for in Subsection (2) and this Subsection (4).

(5) Commencing on July 1, 1993, 9.88 percent of the total amount of the monies collected and deposited in the Hotel Room Tax Fund, attributable to occupancies on and after July 1, 1993 shall be specifically appropriated to the War Memorial Special Fund to be used only to defray the cost of maintaining, operating and caring for the War Memorial buildings and grounds as described in Section 27.3 of the San Francisco Administrative Code. The percent in fiscal

year 1994-95 shall be 9.82 percent and the percent in fiscal year 1995-96 and thereafter shall be 9.76 percent.

(6) Any unexpended balances remaining in the allocations as set forth in Subsections (1), (2), (4), (5), (6), (13) and (14) at the close of any fiscal year shall be deemed to be provided for a specific purpose within the meaning of Section 6.306 of the Charter and shall be carried forward and accumulated in said allocations for the purposes recited herein. Any monies previously allocated pursuant to the provisions of Ordinances No. 225-73, No. 502-76 and No. 54-82 shall be carried forward by the Controller for the uses specified in Subsections (1), (2), (4) and (5).

(7) Commencing on June 30, 1978, 6.23 percent of the total amount of the monies collected and deposited in the Hotel Room Tax Fund, attributable to occupancies on and after June 30, 1978, shall be specifically allocated and set aside for Base Rental and Additional Rental as provided in the 1977 Amended Park Lease between the City and County of San Francisco and San Francisco Stadium, Inc. for the improvement and expansion of the Recreation Center located at Candlestick Park.

(8) Administration of the provisions of this Article, cost of which shall not exceed two/tenths of one percent (0.2%) of the total amount collected.

(9) Refunds of any overpayment of the tax imposed hereunder.

(10) Commencing on July 1, 1993, 16.38 percent of the total estimated annual revenue in the Hotel Room Tax Fund, attributable to

occupancies on and after July 1, 1993, shall be specifically appropriated to the Office of the Chief Administrative Officer to be used for publicity and advertising purposes pursuant to the provision of Section 3.201 of the Charter for cultural and promotional organizations and annual or regularly recurring parades, celebrations and street fairs. The percent in fiscal year 1994- 95 shall be 16.32 percent and the percent in fiscal year 1995-96 and thereafter shall be 16.26 percent, provided that at such time as no more funds are required under Subsection (7) above, two percent of the total amount of monies collected and deposited in the Hotel Room Tax Fund shall be added herein for the arts.

(11) Commencing on July 1, 1993, one-quarter percent (.25%) of the total estimated annual revenue in the Hotel Room Tax Fund, attributable to occupancies on and after July 1, 1993, shall be specifically appropriated to the Office of the Chief Administrative Officer to be used for publicity and advertising purposes pursuant to the provisions of Section 3.201 of the Charter for nonrecurring parades, celebrations and street fairs and for unforeseen special contingencies.

The Chief Administrative Officer is hereby authorized and directed to expend from monies appropriated in Section 515 (10) and (11) those sums in his discretion deemed necessary to evaluate and review cultural, artistic or advertising programs funded for publicity and advertising purposes.

(12) Commencing on July 1, 1993, the following percent of the total estimated annual revenue in the Hotel Room Tax Fund attributable to occupancies on or after July 1, 1993 shall be specifically appropriated to the Cultural Equity Endowment Fund for cultural equity initiatives, commissions to individual creative artists in all disciplines, project grants to small and midsize arts organizations, and artspace initiatives or facilities acquisition program:

(a) Fiscal year 1993-94: 1.25%;

(b) Fiscal year 1994-95: 1.75%;

(c) Fiscal year 1995-96 and thereafter: 2.25%.

(13) Commencing on July 1, 1993, the following percent of the total estimated annual revenue in the Hotel Room Tax fund attributable to occupancies on or after July 1, 1993 shall be specifically appropriated to the Asian Art Museum of San Francisco for the operation and maintenance of the Asian Art Museum of San Francisco:

(a) Fiscal year 1993-1994: 2.160%;

(b) Fiscal year 1994-1995: 2.100%;

(c) fiscal year 1995-1996 and thereafter: 2.045%.

(14) Commencing on July 1, 1993, the following percent of the total estimated annual revenue in the Hotel Room Tax Fund attributable to occupancies on and after July 1, 1993, shall be specifically appropriated to the Fine Arts Museums of San Francisco

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for the operation and maintenance of the Fine Arts Museums of San Francisco:

(a) Fiscal year 1993-1994: 5.560%;

(b) Fiscal year 1994-1995: 5.360%;

(c) Fiscal year 1995-1996 and thereafter: 5.155%.

(15) Notwithstanding anything to the contrary in this Section 515, for Fiscal Year 1993-94: (A) no allocations required by Subsections (1), (2), (4), (5), (6), (7), (8), (9), (10) and (11) herein shall exceed the actual amounts allocated pursuant to this Section 515 in Fiscal Year 1992-93; (B) the specific purpose allocation required by Subsection (13) herein shall not exceed $1.43 million; and (C) the specific purpose allocation required by Subsection (14) herein shall not exceed $4.45 million.

(16) Notwithstanding anything to the contrary in this Section 515, for Fiscal Year 1994-95 no allocations required by subparagraph (c) of Subsection 1 and Subsections (2), (5), (7), (8), (10), and (11) herein shall exceed the actual amounts allocated pursuant to this Section 515 in Fiscal Year 1993-94.

((16))(17) After the specific purpose allocations and accumulations required by Subsections (1), (2), (4), (5) and (6) and after appropriations have been made for the purposes set forth in Subsections (7), (8), (9), (10), (11), (12), (13) and (14) all

remaining Hotel Room Tax revenues shall be appropriated to the General Fund.

APPROVED AS TO FORM:

LOUISE E. RENNE, City Attorney

By: Julia McFriedlander
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
July 5, 1994	§	July 11, 1994
	§	
	§	
Ayes: Supervisors Alioto Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	§	Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Leal Maher Migden Shelley
	§	
Absent: Supervisors Bierman Conroy	§	Absent: Supervisors Conroy Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
127-94-8

JUL 21 1994
Date Approved

Frank M. Jordan
Mayor

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As amended in committee
July 6, 1994.

FILE NO. 60-94-12 ORDINANCE NO. 264-94

(Special Election)

CALLING AND PROVIDING FOR A SPECIAL ELECTION TO BE HELD IN THE CITY AND COUNTY OF SAN FRANCISCO ON TUESDAY, NOVEMBER 8, 1994, FOR THE PURPOSE OF SUBMITTING TO THE VOTERS OF THE CITY AND COUNTY OF SAN FRANCISCO PROPOSITIONS TO INCUR THE FOLLOWING BONDED DEBTS OF THE CITY AND COUNTY FOR THE ACQUISITION, CONSTRUCTION, OR COMPLETION BY THE CITY AND COUNTY OF SAN FRANCISCO OF THE FOLLOWING MUNICIPAL IMPROVEMENTS, TO WIT: ONE HUNDRED NINETY-FIVE MILLION SIX HUNDRED THOUSAND DOLLARS ($195,600,000) FOR CONSTRUCTION AND RECONSTRUCTION OF CORRECTIONAL FACILITIES TO REPLACE THE EXISTING SAN BRUNO JAIL FACILITIES; FORTY-ONE MILLION SEVEN HUNDRED THIRTY THOUSAND DOLLARS ($41,730,000) FOR CONSTRUCTION AND RECONSTRUCTION OF CERTAIN IMPROVEMENTS TO THE OLD MAIN LIBRARY; THIRTY-EIGHT MILLION THREE HUNDRED FIFTY THOUSAND DOLLARS ($38,350,000) FOR CONSTRUCTION AND RECONSTRUCTION OF CERTAIN IMPROVEMENTS TO CITY HALL; THAT THE ESTIMATED COST TO THE CITY AND COUNTY OF SAN FRANCISCO OF SAID MUNICIPAL IMPROVEMENTS IS AND WILL BE TOO GREAT TO BE PAID OUT OF THE ORDINARY ANNUAL INCOME AND REVENUE OF THE CITY AND COUNTY OF SAN FRANCISCO AND WILL REQUIRE EXPENDITURES GREATER THAN THE AMOUNT ALLOWED THEREFOR BY THE ANNUAL TAX LEVY; RECITING THE ESTIMATED COST OF SUCH MUNICIPAL IMPROVEMENTS; FIXING THE DATE OF THE ELECTION AND THE MANNER OF HOLDING SUCH ELECTION AND THE PROCEDURE FOR VOTING FOR OR AGAINST THE PROPOSITION; FIXING THE MAXIMUM RATE OF INTEREST ON SAID BONDS AND PROVIDING FOR THE LEVY AND COLLECTION OF TAXES TO PAY

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BOTH PRINCIPAL AND INTEREST THEREOF; PRESCRIBING NOTICE TO BE GIVEN OF SUCH ELECTION; CONSOLIDATING THE SPECIAL ELECTION WITH THE GENERAL ELECTION; AND PROVIDING THAT THE ELECTION PRECINCTS, VOTING PLACES AND OFFICERS FOR ELECTION SHALL BE THE SAME AS FOR SUCH GENERAL ELECTION.

Be it ordained by the People of the City and County of San Francisco:

Section 1. A special election is hereby called and ordered to be held in the City and County of San Francisco on Tuesday, the 8th day of November, 1994, for the purpose of submitting to the electors of said city and county a proposition to incur bonded indebtedness of the City and County of San Francisco for the acquisition, construction, or completion by the City and County of the hereinafter described municipal improvements in the amount and for the purposes stated:

CORRECTIONAL FACILITIES REPLACEMENT AND IMPROVEMENT BONDS, 1994, $195,600,000, to pay for the acquisition, construction and reconstruction of correctional facilities to replace the existing San Bruno jail facilities, including replacement housing, administrative buildings, health clinics, training range, special housing units, health and safety improvements and renovation of certain improvements, and related acquisition, construction, or reconstruction

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necessary or convenient for the foregoing purposes.

OLD MAIN LIBRARY IMPROVEMENT/ASIAN ART MUSEUM RELOCATION BONDS, 1994, $41,730,000, to pay for construction and reconstruction of certain improvements to the Old Main Library, including the seismic upgrading of the Old Main Library, improvements necessary for relocating the Asian Art Museum to such location, asbestos abatement, historic preservation, improvements necessary to provide access to the disabled and for building code compliance, and related acquisition, construction and reconstruction necessary or convenient for the foregoing purposes.

CITY HALL NON-SEISMIC IMPROVEMENT BONDS, 1994, $38,350,000, to pay for construction and reconstruction of certain improvements to City Hall, including life safety improvements, providing access for the disabled, historic preservation, electrical power and systems upgrade, functional space conversions and provision of a childcare facility, and related acquisition, construction and reconstruction necessary or convenient for the foregoing purposes.

Section 2. The estimated costs of each of the municipal improvements described in Section 1 hereof were fixed by the Board of Supervisors by the following resolutions and in the amount specified:

CORRECTIONAL FACILITIES REPLACEMENT AND IMPROVEMENT BONDS, 1994, Resolution No. 535 -94, $195,600,000; OLD MAIN LIBRARY SAFETY IMPROVEMENT/ASIAN ART MUSEUM RELOCATION BONDS, 1994, Resolution No. 534 -94, $41,730,000; CITY HALL NON-SEISMIC IMPROVEMENT BONDS, 1994, Resolution No. 533 -94, $38,350,000.

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That said resolutions were passed by two-thirds or more of the Board of Supervisors and approved by the Mayor, and in each said resolutions it was recited and found that the sums of money specified were too great to be paid out of the ordinary annual income and revenue of the City and County in addition to the other annual expenses thereof or other funds derived from taxes levied for those purposes and will require expenditures greater than the amount allowed therefor by the annual tax levy.

The method and manner of payment of the estimated cost of the municipal improvements described herein are by the issuance of bonds of the City and County of San Francisco in the principal amounts not to exceed the principal amounts specified.

Said estimate of costs as set forth in said resolutions are hereby adopted and determined to be the estimated cost of said improvements.

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Section 3. The special election hereby called and ordered to be held shall be held and conducted and the votes thereat received and canvassed, and the returns thereof made and the results thereof ascertained, determined and declared as herein provided and in all particulars not herein recited said election shall be held according to the laws of the State of California and the Charter of the City and County of San Francisco providing for and governing elections in the City and County of San Francisco, and the polls for such election shall be and remain open during the time required by said laws.

Section 4. The said special election hereby called shall be and hereby is consolidated with the General Election of the City and County of San Francisco to be held Tuesday, November 8, 1994, and the voting precincts, polling places and officers of election for said General Election be and the same are hereby adopted, established, designated and named, respectively, as the voting precincts, polling places and officers of election for such special election hereby called, and reference is hereby made to the notice of election setting forth the voting precincts, polling places and officers of election for the General Election to be published by the Registrar of Voters, in the official publication of the City and County of San Francisco on or before the date required under the laws of the State of California. The ballots to be used at said special election shall be the ballots to be used at said General Election.

Section 5. On the ballots to be used at such special election and on the punch card ballots used at said special election, in addition to any other matter required by law to be printed thereon, shall appear thereon the following, to be separately stated, and appear upon the ballot as four separate propositions:

CORRECTIONAL FACILITIES REPLACEMENT AND IMPROVEMENT BONDS, 1994. To incur a bonded indebtedness of $195,600,000 to pay the cost of acquisition, construction and reconstruction of county correctional facilities to replace the existing San Bruno jail facilities, including replacement housing, administrative buildings, health clinics, training range, special housing units, health and safety improvements and renovation of certain improvements, and related acquisition, construction, or reconstruction necessary or convenient for the foregoing purposes.

OLD MAIN LIBRARY IMPROVEMENT/ASIAN ART MUSEUM RELOCATION BONDS, 1994. To incur a bonded indebtedness of $41,730,000 to pay the cost of construction and reconstruction of certain improvements to the Old Main Library, including the seismic upgrading of the Old Main Library,

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improvements necessary for relocating the Asian Art Museum to such location, asbestos abatement, historic preservation, improvements necessary to provide access to the disabled and for building code compliance, and related acquisition, construction and reconstruction necessary or convenient for the foregoing purposes.

CITY HALL NON-SEISMIC IMPROVEMENT BONDS, 1994. To incur a bonded indebtedness of $38,350,000 to pay the cost of construction and reconstruction of certain improvements to City Hall, including life safety improvements, providing access for the disabled, historic preservation, electrical power and systems upgrade, functional space conversions and provision of a childcare facility, and related acquisition, construction and reconstruction necessary or convenient for the foregoing purposes.

Each voter to vote for said proposition hereby submitted and in favor of the issuance of the Bonds, shall punch the ballot card in the hole after the word "YES" on the ballot to the right of said proposition, and to vote against the issuance of the Bonds shall punch the ballot card in the hole after the word "NO" on the ballot to the right of said proposition. If and to the extent that a numerical system is used at said special election, each voter to

vote for any said proposition shall punch the ballot card in the hole after the number that corresponds to a "YES" vote for said proposition, and to vote against said proposition shall punch the ballot card in the hole after the number that corresponds to a "NO" vote for said proposition.

On absentee voter ballots, the voter to vote for any said proposition shall punch the ballot card in the hole after the word "YES" to the right of said proposition, and to vote against said proposition and against the issuance of the Bonds shall punch the ballot card in the hole after the word "NO" to the right of said proposition. If and to the extent that a numerical system is used at said special election, each voter to vote for any said proposition shall punch the absentee ballot card in the hole after the number that corresponds to a "YES" vote for said proposition and to vote against said proposition shall punch the absentee ballot card in the hole after the number that corresponds to a "NO" vote for said proposition.

Section 6. If at such special election it shall appear that two-thirds of all the voters voting on the proposition voted in favor of and authorized the incurring of a bonded indebtedness for the purposes set forth in said proposition, then such proposition shall have been accepted by the electors, and bonds shall be issued to defray the cost of the municipal improvements described therein. Such bonds shall bear interest at a rate not to exceed 12 per centum per annum, payable semiannually, provided, that interest for the

first year after the date of any of said bonds may be payable at or before the end of that year.

The votes cast for and against said respective propositions shall be counted separately and when two-thirds of the qualified electors, voting on such propositions, vote in favor thereof, such proposition shall be deemed adopted.

Section 7. For the purpose of paying the principal and interest on said bonds, the Board of Supervisors shall, at the time of fixing the general tax levy and in the manner for such general tax levy provided, levy and collect annually each year until such bonds are paid, or until there is a sum in the Treasury of said City and County set apart for that purpose to meet all sums coming due for the principal and interest on said bonds, a tax sufficient to pay the annual interest on such bonds as the same becomes due and also such part of the principal thereof as shall become due before the proceeds of a tax levied at the time for making the next general tax levy can be made available for the payment of such principal.

Section 8. This ordinance shall be published once a day for at least seven (7) days in the official publication of the City and County of San Francisco, which is published at least six (6) days a week in the City and County of San Francisco and such publication shall constitute notice of said election and no other notice of the election hereby called need be given.

Section 9. The appropriate officers, employees, representatives and agents of the City and County of San Francisco

are hereby authorized and directed to do everything necessary or desirable to the calling and holding of said special election, and to otherwise carry out the provisions of this ordinance.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Diane Fitzgerald
Deputy City Attorney

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
July 11, 1994	§	July 18, 1994
	§	
	§	
Ayes: Supervisors Alioto Bierman	§	Ayes: Supervisors Alioto Bierman
Hallinan Hsieh Kaufman Kennedy	§	Conroy Hallinan Hsieh Kaufman
Leal Maher Migden Shelley	§	Kennedy Leal Maher Migden Shelley
	§	
Absent: Supervisor Conroy	§	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
60-94-12

JUL 29 1994
Date Approved

Frank M. Jordan
Mayor

Amendment of the whole
as amended in committee
July 6, 1994.

FILE NO. 97-94-22

ORDINANCE NO. 265-94

7/6
mlr

[General Assistance Terminal Illness Exemption]

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING SECTION 20.56.14, RELATING TO ELIGIBILITY OF INDIVIDUALS WHO ARE TERMINALLY ILL; ratifying and affirming the provision of the General Assistance to all terminally ill individuals for whom the General Manager of the Department of Social Services has previously approved aid.

Note: The entire section is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by adding Section 20.56.14, to read as follows:

SEC. 20.56.14. EXEMPTION FOR TERMINAL ILLNESS.

Terminally ill applicants with medical verification that such applicant has a remaining life expectancy of six (6) months or less are exempt from:

(a) providing documentation of legal status in the United States;

(b) the provisions of Section 20.56.10(h) regarding the cash value of a vehicle, provided that the applicant can demonstrate that such vehicle is necessary to transport the applicant to and from medical treatment, and that he or she is physically and/or mentally unable to use public transportation.

/ / /

(c) the provisions of Section 20.56.13 regarding the requirement to obtain and present any photo identification.

Such applicants shall meet all other eligibility requirements.

There shall be no time limit to the duration of eligibility for General Assistance authorized under this provision.

The Department of Social Services shall maintain records of the number of individuals granted aid under this provision, and shall provide a report of that number to the Mayor and the Board of Supervisors every six months.

Section 2. The Board of Supervisors is informed that the General Manager has approved the provision of General Assistance to terminally ill individuals, some of whom would be eligible under this amendment. The Board of Supervisors hereby ratifies and affirms the provision of General Assistance to all terminally ill individuals for whom the General Manager has previously approved aid.

APPROVED AS TO FORM:

LOUISE H. RENNE, CITY ATTORNEY

By: Virginia Donnelly Fitzpatrick
DEPUTY CITY ATTORNEY

DEPOSITORY ITEM
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AUG 16 1994
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CC

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
July 11, 1994	$	July 18, 1994
	$	
	$	
Ayes: Supervisors Alioto Bierman	$	Ayes: Supervisors Alioto Bierman
Hallinan Hsieh Kaufman Kennedy	$	Conroy Hallinan Hsieh Kaufman
Leal Maher Migden Shelley	$	Kennedy Leal Maher Migden Shelley
	$	
Absent: Supervisor Conroy	$	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Judith Taylor
Clerk

File No.
97-94-22

JUL 29 1994
Date Approved

Frank M. Jordan
Mayor

File No. 97-94-22 Ordinance No.265-94

E R R A T A

Due to the passage of Proposition V on November 2, 1993 which added Section 20.56.14, the Section number in Ordinance 265-94 is corrected as follows:

Section 20.56.14 becomes Section 20.56.15

John L. Taylor
Clerk of the Board
August 11, 1994

as amended in committee

FILE NO. 97-94-22 ORDINANCE NO. 265-94

8/11/94
jcl

7/6
mlr

[General Assistance Terminal Illness Exemption]

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING SECTION 20.56.~~14~~15, RELATING TO ELIGIBILITY OF INDIVIDUALS WHO ARE TERMINALLY ILL; ratifying and affirming the provision of the General Assistance to all terminally ill individuals for whom the General Manager of the Department of Social Services has previously approved aid.

Note: The entire section is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by adding Section 20.56.~~14~~15, to read as follows:

8/11/94
jcl

8/11/94
jcl

SEC. 20.56.~~14~~15. EXEMPTION FOR TERMINAL ILLNESS.

Terminally ill applicants with medical verification that such applicant has a remaining life expectancy of six (6) months or less are exempt from:

(a) providing documentation of legal status in the United States;

(b) the provisions of Section 20.56.10(h) regarding the cash value of a vehicle, provided that the applicant can demonstrate that such vehicle is necessary to transport the applicant to and from medical treatment, and that he or she is physically and/or mentally unable to use public transportation.

/ / /

Supervisor Leal , Supervisors Alioto, Bierman, Hsieh
BOARD OF SUPERVISORS
2272H

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SEP 16 1994
SAN FRANCISCO
PUBLIC LIBRARY

(c) the provisions of Section 20.56.13 regarding the requirement to obtain and present any photo identification.

Such applicants shall meet all other eligibility requirements.

There shall be no time limit to the duration of eligibility for General Assistance authorized under this provision.

The Department of Social Services shall maintain records of the number of individuals granted aid under this provision, and shall provide a report of that number to the Mayor and the Board of Supervisors every six months.

Section 2. The Board of Supervisors is informed that the General Manager has approved the provision of General Assistance to terminally ill individuals, some of whom would be eligible under this amendment. The Board of Supervisors hereby ratifies and affirms the provision of General Assistance to all terminally ill individuals for whom the General Manager has previously approved aid.

APPROVED AS TO FORM:

LOUISE H. RENNE, CITY ATTORNEY

By: Vincenz David Eizmendi
DEPUTY CITY ATTORNEY

Supervisor Leal

2272H

BOARD OF SUPERVISORS

DOCUMENTS DEPARTMENT
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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
July 11, 1994	§	July 18, 1994
Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	§	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley
Absent: Supervisor Conroy	§	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
97-94-22

JUL 29 1994
Date Approved

Frank M. Jordan
Mayor

Amendment of the Whole

CC

FILE NO. 101-93-124
(Government Funding)

ORDINANCE NO. 266-94
RO#94019
SA#156

APPROPRIATING $222,000 OF SEISMIC SAFETY LOAN FUNDS FOR BOND ISSUANCE COSTS (LEGAL AND CONSULTING SERVICES) RELATED TO THE SEISMIC SAFETY LOAN PROGRAM OF THE CAO'S OFFICE FOR FISCAL YEAR 1994-95.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1994-1995 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
02-013	**Seismic Safety Loan Fund**		
70-00-00	Chief Administrative Officer		
Project 001-00	Seismic Safety Loan Fund Revenue		
55-5500(059527)	Proceeds- Sale of Bonds	$222,000	
70-04-01	CAO - Public Finance Division		
Project 001-01	Seismic Safety Loan Fund - Admin. Exp.		
41-4200 (420695)	Non-Work Order Services - City Atty. -Legal		$95,000
20-2010 (420695)	Project Expenditure Budget Only (Consultation and Issuance Costs)		$120,000
09-00-00	Controller's Office		
Project 002-01	Costs of Issuance		
20-2010 (310557)	Project Expenditure Budget		$7,000
	Total	$222,000	$222,000

APPROVED AS TO FORM;
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

CONTROLLER

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 11, 1994	July 18, 1994
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley
Absent: Supervisor Shelley	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No. 101-93-124

JUL 29 1994
Date Approved

Frank M. Jordan
Mayor

FILE NO. 127-94-1.1 ORDINANCE NO. 267-94

(Firearms and Ammunition Business Tax)

AMENDING PART III OF THE SAN FRANCISCO MUNICIPAL CODE BY AMENDING SECTION 905-A OF ARTICLE 12A AND SECTIONS 1003, 1004.17, 1004.18, AND 1005.3 OF ARTICLE 12-B TO MAKE TECHNICAL CHANGES AND TO CHANGE THE EFFECTIVE DATE OF RECENT CHANGES AFFECTING BUSINESSES SELLING FIREARMS AND AMMUNITION FROM JANUARY 1, 1994 TO JANUARY 1, 1995.

NOTE: Additions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Article 12-A of Part III of the San Francisco Municipal Code is hereby amended by amending Section 905-A to read as follows:

SEC. 905-A. SMALL BUSINESS TAX EXEMPTION. (a) Notwithstanding any other provisions of this Payroll Expense Tax Ordinance, except Sections 907 and 909 Herein, "small business enterprises" as hereinafter defined, shall be exempt from taxation under this Ordinance; provided however, that small business enterprises shall pay the annual registration fee pursuant to Section 1007.2 of this Code. The term "small business enterprise" shall mean and include any taxpayer whose tax liability hereunder, but for this Exemption provision, would not exceed $1000, provided, however, that effective January 1, 1995, no person engaged in the business of selling firearms or firearms ammunition shall be

eligible for the small business tax exemption herein provided.

(b) As used herein, the term "firearm" means any device, designed to be used as a weapon, from which is expelled through a barrel a projectile by the force of any explosion, or other form of combustion. The term also includes any rocket, rocket propelled projectile launcher, or similar device containing any explosive or incendiary material and not designed for emergency or distress signaling purposes.

(c) As used herein, the term "firearms ammunition" means any projectiles with their fuses, propelling charges, or primers fired from weapons, and any of the individual components thereof, including, but not limited to, black powder and reloading primers.

(d) As used herein, the term "engaged in the business of selling firearms or firearms ammunition" means the selling, leasing, or transferring of firearms or firearms ammunition. No person shall be "engaged in the business of selling firearms or firearms ammunition" within the meaning of this ordinance if she or he is not required to obtain a license to sell firearms or firearms ammunition pursuant to Section 613 of Part II of the San Francisco Municipal Code or if she or he is an auctioneer or auction company required to maintain a bond or deposit pursuant to California Civil Code 1812.600 or any successor statute.

DEPOSITORY ITEM
AUG 16 1994

Section 2. Article 12-B of Part III of the San Francisco Municipal Code (Business Tax Ordinance) is hereby amended by amending Sections 1003, 1004.17, 1004.18 and 1005.3 to read as follows:

SEC. 1003. IMPOSITION OF TAX REGISTRATION. (a) Subject to the provisions of this ordinance, a business tax registration certificate must be obtained annually and displayed on the business premises by every person engaged in business within the City and County, regardless of whether or not such person is subject to tax hereunder. Subject to the provisions of this ordinance, a business tax must be paid by every person engaged in any of the businesses specified in Sections 1004 through 1004.13 inclusive, 1004.15, 1004.16, and 1004.18 of this ordinance within the City and County, and a business tax is hereby imposed in the amount prescribed in the applicable provision. A person engaged in more than one trade, calling, occupation, vocation, profession or other means of livelihood embraced by more than one of the aforementioned sections shall obtain a separate registration certificates for the activities covered by each Section, and shall pay tax on the gross receipts derived from engaging in the business covered by each Section at the rate prescribed for each business in the applicable provision of Section 1004.17. However, <u>effective January 1, 1995,</u> each person required to obtain a registration certificate for engaging in the business of selling firearms or firearms ammunition under the

provisions of Section 1004.18 shall not be required to obtain a registration certificate for activities covered by any other Section of this ordinance and shall pay tax on gross receipts derived from any activity covered by any Section of this ordinance at the rate prescribed for gross receipts from the sale of firearms or firearms ammunition.

No person shall engage in any business subject to tax under the provisions of this ordinance, without obtaining a registration certificate and paying the tax required herein. The business tax registration certificate required to be obtained and the tax required to be paid are hereby declared to be required pursuant to the taxing power of the City and County of San Francisco, solely for the purpose of obtaining revenue. Compliance with such requirements shall not be construed as a condition precedent to engaging in any business within the City and County where the imposition of such a condition precedent would be contrary to law.

(b) Business Tax Registration Certificate -- Transfer. No registration certificate shall be transferable, except where the business taxed is transferred, whether by sale or otherwise, to another person under such circumstances that the real or ultimate ownership of the business after the transfer is substantially similar to the real or ultimate ownership existing before the transfer. FOr the purpose of this Section, stockholders, bondholders, partners, or other persons holding an interest in a corporation or other entity herein defined to be a person, are

regarded as having the real or ultimate ownership of such corporation or other entity.

SEC. 1004.17. RATES OF TAX AFTER JUNE 30, 1990 AND AFTER JANUARY 1, 1995((1994)).

(a) Notwithstanding any other provision of this ordinance, commencing July 1, 1990, the rates of gross receipts tax under Sections 1004.01, 1004.02, 1004.03, 1004.04, 1004.06, 1004.07, 1004.08, 1004.09, 1004.10, 1004.11, 1004.13, 1004.15 and 1004.16, and commencing January 1, 1995 the rate of gross receipts tax under Section 1004.18, shall be as follows:

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Sec. No.	Business	Tax on First $10,000 of Gross Receipts or Fractional Part Thereof	Tax on Each Additional $1000 of Gross Receipts or Fractional Part Thereof
1004.01	COMMISSION MERCHANT OR BROKER	$ 30.00	$ 3.00
1004.02	CONTRACTOR	$ 30.00	$ 3.00
1004.03	HOTEL, APARTMENT	$ 15.00	$ 1.50
1004.04	LAUNDRY, ETC.	$ 15.00	$ 1.50
1004.06	PERSONAL PROPERTY RENTAL	$ 30.00	$ 3.00
1004.07	OTHER BUSINESSES	$ 30.00	$ 3.00
1004.08	RETAIL SALES	$ 15.00	$ 1.50
1004.09	STORAGE, ETC.	$ 30.00	$ 3.00
1004.10	TELEPHONES, ETC.	$ 12.00	$ 1.23
1004.11	TRANSPORTING PERSONS	$ 30.00	$ 3.00
1004.13	WHOLESALE SALES	$ 12.00	$ 1.23
1004.15	ARCHITECTS, ENGINEERS	$ 30.00	$ 3.00
1004.16	NON-PROFIT GARAGE	$2,500.00	$250.00
1004.18	FIREARMS/AMMUNITION SALES	$ 300.00	$ 30.00

(b) Notwithstanding any other provision of this ordinance, for calendar year 1990 and for each calendar year thereafter, the tax under section 1004 (FIXED PLACE OF BUSINESS) shall be $24.00 per year.

(c) Notwithstanding any other provisions of this ordinance, for calendar year 1990 and for each calendar year thereafter, the tax under Section 1004.05 (LENDING MONEY) shall be $800 per year.

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(d) Notwithstanding any other provision of this ordinance, commencing July 1, 1990, the rates of tax under Section 1004.12 (TRUCKING-HAULING) shall be as follows:

For each a motor vehicle (other than a tractor, trailer, semitrailer or dolly) used to receive or discharge, pick up or deliver property within this City and County (1) if the unladen weight thereof is 4000 pounds or less, the tax shall be $0.07 for each day or fraction thereof of its operation as specified in Section 1004.12(b); (2) if the unladen weight thereof is over 4000 pounds, and not more than 8,000 pounds, the tax shall be $0.15 for each day or fraction thereof of its operation as specified in Section 1004.12(b); and (3) if the unladen weight thereof is over 8,000 pounds, the tax shall be 0.16 for each day or fraction thereof of its operation as specified in Section 1004.12(b).

For each tractor which is used to haul one or more trailers or semitrailers, the tax shall be $0.16 for each day or fraction thereof of its operation as specified in Section 1004.12(b).

SEC. 1004.18 FIREARMS & AMMUNITION SALES.

(a) Notwithstanding any other provision of this ordinance, commencing January 1, 1995((1994)), for every person engaged in the business of selling firearms or firearms ammunition, as defined by this ordinance, the tax shall be $300 per year or fractional part thereof for the first $10,000 or less of gross receipts, plus $30 per year for each additional $1,000 of gross receipts or fractional part thereof in excess of $10,000 from selling firearms or firearms

ammunition or from any other activity which is subject to tax under the provisions of this Article.

(b) As used herein, the term "firearm" means any device, designed to be used as a weapon, from which is expelled through a barrel a projectile by the force of any explosion, or other form of combustion. The term also includes any rocket, rocket propelled projectile launcher, or similar device containing any explosive or incendiary material and not designed for emergency or distress signaling purposes.

(c) As used herein, the term "firearms ammunition" means any projectiles with their fuses, propelling charges, or primers fired from weapons, and any of the individual components thereof, including, but not limited to, black powder and reloading primers.

(d) As used herein, the term "engaged in the business of selling firearms or firearms ammunition" means the selling, leasing or transferring of firearms or firearms ammunition. No person shall be "engaged in the business of selling firearms or firearms ammunition" within the meaning of this ordinance if she or he is not required to obtain a license to sell firearms or firearms ammunition pursuant to Section 613 of Part II of the San Francisco Municipal Code or if she or he is an auctioneer or auction company required to maintain a bond or deposit pursuant to California Civil Code 1812.600 or any successor statute.

/ / /

SEC. 1005.3. SMALL BUSINESS EXEMPTION.

Notwithstanding any other provision of this Business ("Gross Receipts") Tax Ordinance, except the provisions of Section 1009, "small business enterprises," as hereinafter defined, shall be exempt from taxation under this ordinance; provided, however, that small business enterprises shall pay the annual registration fee pursuant to Section 1007, and provided further that, effective January 1, 1995, no person engaged in the business of selling firearms or firearms ammunition, as defined by subsection (d) of Section 1004.18, any portion of whose gross receipts are derived from the business of selling firearms or firearms ammunition, shall be eligible for the small business tax exemption herein provided.

The term "small business enterprise" shall mean and include any taxpayer whose tax hereunder, but for this exemption provision, would not exceed $1000.

When the annual revenues received by the City and County from the annual registration fee exceed $8,500,000, $200,000 shall be reserved for the Mayor to consider expending for the benefit of the small business community in the City and County.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Deputy City Attorney

SUPERVISOR MIGDEN
8339g

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 11, 1994	July 18, 1994
Ayes: Supervisors Bierman Hallinan Hsieh Kaufman Kennedy Leal Maher Migden	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley
Noes: Supervisor Alioto	
Absent: Supervisors Conroy Shelley	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
127-94-1.1

JUL 29 1994
Date Approved

Mayor

DEPOSITORY ITEM
LAW LIBRARY
AUG 16 1994
SAN FRANCISCO
PUBLIC LIBRARY

7/19/94 - As amended in Committee.

FILE NO. 45-94-42

ORDINANCE NO. 268-94

RO #94022

(SETTLEMENT OF LAWSUIT)

7/19/94 jlb

AUTHORIZING SETTLEMENT OF LITIGATION OF SCHULZ AGAINST THE CITY AND COUNTY OF SAN FRANCISCO, ROBERT PASSMORE, TERRY MILNE, AND THE BERNAL HEIGHTS EAST SLOPE DESIGN REVIEW BOARD BY PAYMENT OF $70,000.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle plaintiffs' claims against the City, Robert Passmore, Terry Milne, and the Bernal Heights East Slope Design Review Board ~~and any individual City employee named as a defendant~~ in the action entitled "Schulz v. City and County of San Francisco, et al.," United States District Court No. C-93-0352 VRW, by the payment of $70,000 pursuant to an offer made under Federal Rule of Civil Procedure Rule 68.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

ANDREW W. SCHWARTZ
Deputy City Attorney

RECOMMENDED:

DEPARTMENT OF CITY PLANNING

for LUCIAN BLAZEJ
Director of Planning

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 29
331280 1450 $70,000.00

JUL 01 1994

2713j

BOARD OF SUPERVISORS

CC

DEPOSITORY ITEM
LIBRARY DEPT.
AUG 17 1994
SAN FRANCISCO
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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 25, 1994	August 1, 1994
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Kaufman Kennedy Leal Migden Shelley
	Absent: Supervisors Hsieh Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
45-94-42

AUG 2 1994
Date Approved

Frank M. Jordan
Mayor

FILE NO. 27-94-9 ORDINANCE NO. 269-94

7/7/94 - As amended in Committee.

(Airport-Lease Modifications)

APPROVING MODIFICATION NO. 5 OF LEASE AND USE AGREEMENT BETWEEN AMERICAN AIRLINES, INC. AND CITY AND COUNTY OF SAN FRANCISCO, ACTING BY AND THROUGH ITS AIRPORTS COMMISSION; RETROACTIVELY FROM MAY 1, 1994 TO JUNE 30, 2011.

7/7/94 jlb

Be it ordained by the People of the City and County of San Francisco:

Section 1. Pursuant to Section 7.402-1 of the Charter, the Board of Supervisors hereby approves Modification No. 5 of the Lease and Use Agreement between American Airlines, Inc. and the City and County of San Francisco, acting by and through its Airports Commission, copies of which Modification are contained in Board of Supervisors' file number 27-94-9; retroactively from May 1, 1994 to June 30, 2011.

7/7/94 jlb

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By _____
Deputy City Attorney

CC

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AUG 17 1994
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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 18, 1994	July 25, 1994
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Leal Maher Migden Shelley
	Absent: Supervisor Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 27-94-9

AUG 4 1994
Date Approved

Frank M. Jordan
Mayor

FILE NO. 27-94-11 ORDINANCE NO. 270-94

7/7/94 - As amended in Committee.

(Airport-Lease Modifications)

APPROVING MODIFICATION NO. 2 OF LEASE AND USE AGREEMENT BETWEEN PHILIPPINE AIRLINES, INC. AND CITY AND COUNTY OF SAN FRANCISCO, ACTING BY AND THROUGH ITS AIRPORTS COMMISSION; RETROACTIVELY FROM MAY 1, 1994 TO JUNE 30, 2011.

7/7/94 jlb

Be it ordained by the People of the City and County of San Francisco:

Section 1. Pursuant to Section 7.402-1 of the Charter, the Board of Supervisors hereby approves Modification No. 2 of the Lease and Use Agreement between Philippine Airlines, Inc. and the City and County of San Francisco, acting by and through its Airports Commission, copies of which Modification are contained in Board of Supervisors' file number 27-94-11; retroactively from May 1, 1994 to June 30, 2011.

7/7/94 jlb

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By _____
Deputy City Attorney

CC

DEPOSITORY ITEM
DOCUMENTS DEPT.
AUG 17 1994
SAN FRANCISCO
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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 18, 1994	July 25, 1994
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Leal Maher Migden Shelley
	Absent: Supervisor Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 27-94-11

AUG 4 1994
Date Approved

Frank M. Jordan
Mayor

FILE NO. 27-94-10 ORDINANCE NO. 271-94

7/7/94 - As amended in Committee.

CC

(Airport-Lease Modifications)

APPROVING MODIFICATION NO. 3 OF LEASE AND USE AGREEMENT BETWEEN MEXICANA AIRLINES, INC. AND CITY AND COUNTY OF SAN FRANCISCO, ACTING BY AND THROUGH ITS AIRPORTS COMMISSION; RETROACTIVELY FROM MAY 1, 1994 TO JUNE 30, 2011.

7/7/94 jlb

Be it ordained by the People of the City and County of San Francisco:

Section 1. Pursuant to Section 7.402-1 of the Charter, the Board of Supervisors hereby approves Modification No. 3 of the Lease and Use Agreement between Mexicana Airlines, Inc. and the City and County of San Francisco, acting by and through its Airports Commission, copies of which Modification are contained in Board of Supervisors' file number 27-94-10; retroactively from May 1, 1994 to June 30, 2011.

7/7/94 jlb

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By _____
Deputy City Attorney

DEPOSITORY ITEM
LOS ANGELES DEPT
AUG 17 1994
SAN FRANCISCO
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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 18, 1994	July 25, 1994
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Leal Maher Migden Shelley
	Absent: Supervisor Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 27-94-10

AUG 4 1994
Date Approved

Frank M. Jordan
Mayor

As amended in committee
July 13, 1994.

FILE NO. 36-94-4 ORDINANCE NO. 272-94

(Reclassification of Property)

AMENDING PART II, CHAPTER II OF THE SAN FRANCISCO MUNICIPAL CODE (CITY PLANNING CODE) BY AMENDING THE ZONING MAP OF THE CITY AND COUNTY OF SAN FRANCISCO FOR PROPERTY IN THE CIVIC CENTER AREA, GENERALLY BOUNDED BY MCALLISTER AND POLK STREETS, REDWOOD ALLEY, AND VAN NESS AVENUE, TO RECLASSIFY ASSESSOR'S BLOCK 766, LOTS 4 AND 5 FROM A "C-2" USE DISTRICT TO A "P" USE DISTRICT; AND TO RECLASSIFY ASSESSOR'S BLOCK 766, LOTS 2, 3, 4 AND 5 FROM A 70-X HEIGHT AND BULK DISTRICT TO AN 80-X HEIGHT AND BULK DISTRICT; adopting City Planning Resolution approving findings related to the eight priority policies of City Planning Code Section 101.1.

mlr
7/13

NOTE: This entire ordinance is new.

Be it ordained by the People of the City and County of San Francisco:

SECTION 1. The following change in property use classification from C-2 to P is hereby adopted as an amendment to Section Map 2 of the Zoning Map of the City and County of San Francisco on file with the Clerk of the Board of Supervisors:

Description of Property	Use District to be Superseded	Use District to be Approved
Assessor's Block 766, Lots 4 and 5	C-2	P

as shown on the map attached hereto as Exhibit A.

SECTION 2. The following change in property height and bulk classification is hereby adopted as an amendment to Height Map 2H of the Zoning Map of the City and County of San Francisco on file with the Clerk of the Board of Supervisors:

Description of Property	Height and Bulk District to be Superseded	Height and Bulk District to be Approved
Assessor's Block 766, Lots 2, 3, 4 and 5	70-X	80-X

as shown on the map attached hereto as Exhibit B.

SECTION 3. This Board of Supervisors adopts City Planning Commission Resolution No. 13713 approving the findings related to the eight Priority Policies of City Planning Code Section 101.1.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Noreen Ambrose
Deputy City Attorney

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BOARD OF SUPERVISORS
AUG 17 1994
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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 18, 1994	July 25, 1994
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Leal Maher Migden Shelley
	Absent: Supervisor Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
36-94-4

AUG 4 1994
Date Approved

Frank M. Jordan
Mayor

FILE NO. 45-94-36

ORDINANCE NO. 273-94

RO #93332

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF LEON DELAROSA AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $25,000.00.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "LEON DELAROSA v. CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No. 942-452, by the payment of $25,000.00.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

SAN FRANCISCO POLICE DEPARTMENT

ANTHONY D. RIBERA
Chief of Police

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 38
309781 1450 $25,000.00

JUN 09 1994

APPROVED:

POLICE COMMISSION

SECRETARY

BOARD OF SUPERVISORS

CC

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 18, 1994	July 25, 1994
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Leal Maher Migden Shelley
	Absent: Supervisor Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
45-94-36

AUG 4 1994
Date Approved

Mayor

CC

FILE NO. 45-94-37

ORDINANCE NO. 274-94

RO #93333

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF JUDITH ALABDI AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $30,000.00.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City and County of San Francisco is hereby authorized to settle the action entitled "JUDITH ALABDI V. CITY AND COUNTY OF SAN FRANCISCO, ET AL., Superior Court No. 951-047," by the payment of $30,000.00

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

JUL 15 1994

01 001 97 09 86
309807 1450 $30,000.00

RECOMMENDED:

SANDRA HERNANDEZ, M.D.
Department of Public Health

APPROVED:

HEALTH COMMISSION

Secretary

0 0082G

BOARD OF SUPERVISORS

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 18, 1994	July 25, 1994
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Leal Maher Migden Shelley Absent: Supervisor Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-94-37

AUG 4 1994

Date Approved

Mayor

CC

FILE NO. 45-94-38 ORDINANCE NO. 275-94

RO #93334

AUTHORIZING SETTLEMENT OF LITIGATION OF SHEILA GROPPER NELSON AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $10,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "SHEILA GROPPER NELSON v. CITY AND COUNTY OF SAN FRANCISCO, et al.,"Municipal Court No. 082-772, by the payment of $10,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

JOHN E. CRIBBS, Director
Title

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

JUL 15 1994

01 001 97 09 90
309674 1450 $10,000.00
261210

APPROVED:

RUDOLF NOTHENBERG
Chief Administrative Officer

BOARD OF SUPERVISORS

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Board of Supervisors, San Francisco

Passed for Second Reading

July 18, 1994

Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley

Finally Passed

July 25, 1994

Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Leal Maher Migden Shelley

Absent: Supervisor Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-94-38

AUG 4 1994
Date Approved

Mayor

FILE NO. 45-94-39

ORDINANCE NO. 276-94

RO 94016

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF LINARES AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $9,200.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "Linares v. City and County of San Francisco, et al.," Superior Court No. 952-337 by the payment of $9,200.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

PUBLIC WORKS DEPARTMENT

JOHN E. CRIBBS
Director

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 90

309674 1450 $9,200.00

JUN 22 1994

APPROVED:

PUBLIC WORK DEPARTMENT

CHIEF ADMINISTRATIVE OFFICER

BOARD OF SUPERVISORS

CC

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Board of Supervisors, San Francisco

Passed for Second Reading

July 18, 1994

Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley

Finally Passed

July 25, 1994

Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Leal Maher Migden Shelley

Absent: Supervisor Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-94-39

AUG 4 1994

Date Approved

Mayor

CC

FILE NO. 45-94-40

ORDINANCE NO. 277-94

RO #93335

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LAWSUIT OF RAMON NAVARRO AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $7,001.28.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the Lawsuit of Ramon Navarro by the payment of $7,001.28.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

JONATHAN V. HOLTZMAN
Special Assistant
to the City Attorney

RECOMMENDED:
SAN FRANCISCO POLICE DEPARTMENT

ANTHONY RIBERA
Chief of Police

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 38
309781 1450 $7,001.28

JUN 22 1994

APPROVED:

POLICE COMMISSION

BOARD OF SUPERVISORS

DEPOSITORY ITEM
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Board of Supervisors, San Francisco

Passed for Second Reading

July 18, 1994

Ayes: Supervisors Alioto Bierman
Conroy Hallinan Hsieh Kaufman
Kennedy Leal Maher Migden Shelley

Finally Passed

July 25, 1994

Ayes: Supervisors Alioto Bierman
Conroy Hallinan Hsieh Kaufman
Leal Maher Migden Shelley

Absent: Supervisor Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
45-94-40

AUG 4 1994

Date Approved

Mayor

FILE NO. 46-94-8 ORDINANCE NO. 278-94

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF CITY AND COUNTY OF SAN FRANCISCO AGAINST A-1 CONSTRUCTION & DEVELOPMENT CO., et al. for $20,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "CITY AND COUNTY OF SAN FRANCISCO v. A-1 CONSTRUCTION & DEVELOPMENT CO., et al.," Superior Court No. 944-079, by the receipt of $20,000.

APPROVED AS TO FORM
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

MARY E. BURNS
General Manager

FUNDS AVAILABLE:

N/A

EDWARD M. HARRINGTON
Controller

APPROVED:

SECRETARY
Recreation and Park Commission

1376b

BOARD OF SUPERVISORS

CC

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Board of Supervisors, San Francisco

Passed for Second Reading

July 18, 1994

Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley

Finally Passed

July 25, 1994

Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Leal Maher Migden Shelley

Absent: Supervisor Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 46-94-8

AUG 4 1994
Date Approved

Mayor

FILE NO. 65-94-11

7/7/94 - As amended in Committee.

ORDINANCE NO. 279-94

[Lease of Real Property]

AUTHORIZING AND APPROVING A NEGOTIATED LEASE WITH MICHAEL GHARIB, DBA TWIN PEAKS MOBIL, OF CERTAIN CITY-OWNED LAND AT THE NORTHEAST CORNER OF PORTOLA DRIVE AND WOODSIDE AVENUE, WITHOUT COMPETITIVE BIDDING~~, AND RATIFYING PREVIOUS ACTIONS~~.

7/7/94 jlb

Be it ordained by the People of the City and County of San Francisco:

Section 1. In accordance with the recommendations of the San Francisco Health Commission on June 7, 1994 and of the City's Director of Property, the form of the lease presented to this Board (the "Lease") between the City, as landlord, and Michael Gharib, dba Twin Peaks Mobil, as tenant, for the continued use of certain City-owned property at the northwest corner of Portola Drive and Woodside Avenue for operation of a gas station, a copy of which Lease is on file with the Clerk of the Board of Supervisors in File No. 65-94-11, is hereby approved. The Lease shall have an initial term of 10 years, with one 5 year option to extend. The base monthly rent for the leased premises for the first five lease years shall be $3,000 or $.0189 per gallon of gasoline delivered to the premises, whichever is greater, and for the second five lease years shall increase to $4,000 or $.0283 per gallon of gasoline delivered to the premises, whichever is greater. Rent for the extension term shall be subject to reappraisal on the terms and conditions set forth in the Lease.

Section 2. The Mayor of the City is hereby authorized to execute, and the Clerk of the Board is hereby authorized to attest and affix the seal of the City thereon, the Lease in the form presented to this Board.

Section 3. The Board of Supervisors hereby finds that it is in the best interests of the City to enter into the Lease based on direct negotiations with Michael Gharib, dba Twin Peaks Mobil, the current operator of the gas station on the premises, without a competitive bid process. Competitive bidding in this situation would be impracticable or impossible.

Section 4. All actions authorized by this ordinance and heretofore taken by any City official in connection with the Lease are hereby ratified, approved and confirmed by this Board of Supervisors.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: _____
Deputy City Attorney

RECOMMENDED:

_____
Director of Public Health

_____
for Director of Property

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Board of Supervisors, San Francisco

Passed for Second Reading		Finally Passed
July 18, 1994		July 25, 1994
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley		Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Leal Maher Migden Shelley
		Absent: Supervisor Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
65-94-11

AUG 4 1994
Date Approved

Frank M. Jordan
Mayor

FILE NO. 65-94-12 ORDINANCE NO. 280-94

[Lease of Property]

AUTHORIZING AND APPROVING THE RENEWAL OF A LEASE OF SPACE IN CITY-OWNED PROPERTY AT 25 VAN NESS AVENUE, CONSISTING OF PORTIONS OF FLOORS 3, 6 AND 7, TO THE SAN FRANCISCO AIDS FOUNDATION, A NON-PROFIT CORPORATION, COMMENCING AUGUST 1, 1994.

Be It Ordained by the People of the City and County of San Francisco:

Section 1. In accordance with the recommendation of the Director of Property; the Board of Supervisors hereby approves, and authorizes the Mayor and the Clerk of the Board of Supervisors, on behalf of the City and County of San Francisco, to execute a lease commencing on August 1, 1994 with The San Francisco AIDS Foundation, a non-profit California corporation, for approximately 17,663 square feet of space located on portions of Floors 3, 6 and 7 of 25 Van Ness Avenue, for general office use and related conference activities. The lease shall be for an 8 month term with an option, at the tenant's election, to extend the term through either August 31, 1995 or August 31, 1996. The rent shall be $24,728.20 per month, with normal building services provided by the City to the tenant.

Section 2. The Director of Property is hereby authorized and urged to prepare said lease on the terms and conditions approved hereby and with approval as to form by the City Attorney.

Section 3. The Board of Supervisors hereby finds that it is in the best interest of the City to enter into said lease based on direct negotiations with The San Francisco AIDS Foundation, a non-profit California corporation, without a competitive bid process. Competitive bidding in this situation would be impracticable or impossible.

Supervisor Alioto, Migden

Section 4. All actions authorized by this ordinance and heretofore taken by any City official in connection with said lease are hereby ratified, approved and confirmed by this Board of Supervisors.

RECOMMENDED:

Director of Property

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By _____
Deputy City Attorney

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(Real Estate)

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
July 18, 1994	$	July 25, 1994
	$	
	$	
Ayes: Supervisors Alioto Bierman	$	Ayes: Supervisors Alioto Bierman
Conroy Hallinan Hsieh Kaufman	$	Conroy Hallinan Hsieh Kaufman
Kennedy Leal Maher Migden Shelley	$	Leal Maher Migden Shelley
	$	
	$	Absent: Supervisor Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
65-94-12

AUG 4 1994
Date Approved

Frank M. Jordan
Mayor

FILE NO. 65-94-13 ORDINANCE NO. 281-94

[Permit to Use Property]

AUTHORIZING THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION TO USE CITY-OWNED PROPERTY; AND TO ADOPT FINDINGS PURSUANT TO CITY PLANNING CODE SECTION 101.1.

Be It Ordained by the People of the City and County of San Francisco:

Section 1. Findings:

A. The State of California Department of Transportation has requested permission to use 3,427± square feet of the DPW employee parking lot at Army Street and Bayshore Boulevard as a construction staging area to seismically retrofit the adjoining Route 101 Freeway until December 31, 1995.

B. In accordance with the recommendation of the Director of Public Works and Director of Property, the City proposes to enter into a Permit To Enter And Use Property (Permit) upon payment of a Permit fee in the amount of $15,600.

C. The Board of Supervisors adopts as its own and incorporates by reference herein, as though fully set forth, the findings made by the Department of City Planning in its letter dated June 6, 1994, a copy of which is on file with the Clerk of the Board of Supervisors, reporting that the proposed use and Permit are in conformity with the Master Plan and consistent with the Eight Priority Policies of Planning Code Section 101.1.

Section 2. Permit. The Board of Supervisors hereby authorizes the Director of Property to execute the Permit To Enter And Use Property, a copy of which is on file with the Clerk of the Board of Supervisors.

RECOMMENDED:

Director of Public Works

Director of Property

APPROVED AS TO FORM:

Louise H. Renne
City Attorney

By
Deputy City Attorney

n:\SDPWPrmt.LHO

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 18, 1994	July 25, 1994
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Leal Maher Migden Shelley
	Absent: Supervisor Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
65-94-13

AUG 4 1994
Date Approved

Frank M. Jordan
Mayor

FILE NO. 65-94-14

ORDINANCE NO. 282-94

APPROVAL OF FIRST AMENDMENT TO LEASE AGREEMENT BETWEEN SOUTH WEST MARINE, INC. (dba San Francisco Drydock, Inc.) AND THE CITY AND COUNTY OF SAN FRANCISCO, OPERATING BY AND THROUGH THE SAN FRANCISCO PORT COMMISSION FOR SHIP REPAIR OPERATIONS AT PIER 70, LOCATED AT THE PORT OF SAN FRANCISCO.

Be it ordained by the People of the City and County of San Francisco:

Section 1

The Board of Supervisors finds that:

A. Section 3.581(g) of the City Charter authorizes the Port Commission to enter into leases and franchises for the operation of property within the jurisdiction of the Port Commission; and

B. Section 7.402-1 of the City Charter authorizes the Board of Supervisors to review and approve by ordinance, the leases or the modification, amendment or termination of any leases of real property entered into by a department, board or commission for a period of time in excess of ten (10) years or having anticipated revenue to the City and County of San Francisco of one million dollars or more; and

C. That on December 2, 1987 South West Marine, Inc. and the Port of San Francisco entered into a 30 year lease for property at Pier 70, said lease approved by San Francisco Ordinance 339-87 on August 17, 1987.

Supervisors Migden, Shelley

Port of San Francisco
BOARD OF SUPERVISORS

D. Whereas changing conditions in the Ship Repair industry required the renegotiation of lease terms to keep this facility competitive at the Port of San Francisco,

E. And whereas the San Francisco Port Commission and South West Marine, Inc. have agreed to enter into a three year amendment to existing lease No. 11315 for use of space at Pier 70 (the foot of 20th and Illinois streets) for ship repair and related operations, for a base monthly rate of Eighty-Three Thousand, Three Hundred Thirty-Three Dollars and Thirty-Three Cents ($83,333.33) and on all of such other terms and conditions as set forth in the lease form attached hereto.

Section 2

NOW THEREFORE BE IT ORDAINED that the Board of Supervisors hereby approves the amended lease terms with South West Marine, Inc. for occupancy of space at Pier 70, a copy of the lease hereto attached, and hereby authorizes the Executive Director of the Port to execute the same on behalf of the Port in substantially the form attached hereto.

APPROVED AS TO FORM
Louise Renne
City Attorney

Neil Sekhri

by: Neil Sekhri
Deputy City Attorney

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Port of San Francisco
BOARD OF SUPERVISORS

cc

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 18, 1994	July 25, 1994
Ayes: Supervisors Alioto Bierman Conroy Hallinan Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Leal Maher Migden Shelley
Absent: Supervisor Hsieh	Absent: Supervisor Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
65-94-14

AUG 4 1994
Date Approved

Frank M. Jordan
Mayor

CC

FILE NO. 93-94-20.1 ORDINANCE NO. 283-94

(Memorandum of Understanding)

AN ORDINANCE IMPLEMENTING THE FISCAL PROVISIONS OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND COUNTY OF SAN FRANCISCO AND THE DISTRICT ATTORNEY INVESTIGATORS' ASSOCIATION FOR THE PERIOD JULY 1, 1994 THROUGH JUNE 30, 1995.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby adopts and implements the fiscal provisions including the rates of compensation set forth in the Memorandum of Understanding between the City and County of San Francisco and the District Attorney Investigators' Association as ratified by the Board of Supervisors by Resolution No. 640-94 on July 29, 1994, such fiscal provisions and rates of compensation to be effective July 1, 1994 through June 30, 1995. A copy of the memorandum of understanding is on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Vicki A. Clayton
Vicki A. Clayton
Deputy City Attorney

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AUG 17 1994
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BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 18, 1994	July 25, 1994
Ayes: Supervisors Alioto Bierman Conroy Hallinan Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Leal Maher Migden Shelley
Absent: Supervisor Hsieh	Absent: Supervisor Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

AUG 4 1994
Date Approved

Frank M. Jordan
Mayor

File No.
93-94-20.1

FILE NO.: 45-94-30 ORDINANCE NO.: 284-94

RO #93322

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF PAUL STRIBLING AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $50,000.00.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "Paul Stribling v. City and County of San Francisco," San Francisco Superior Court No. 951-399, by the payment of $50,000.00.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

APPROVED:

ARLO SMITH, DISTRICT ATTORNEY

PATRICK J. MAHONEY
Chief Trial Deputy

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 04
309732 1450 $50,000.00

MAY 25 1994

22151/28

BOARD OF SUPERVISORS

CC

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 18, 1994	July 25, 1994
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Leal Maher Migden Shelley
	Absent: Supervisor Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-94-30

AUG 4 1994
Date Approved

Mayor

ORIGINAL
When Stamped in Red

File No.115-93-8 Ordinance No.285-94

E R R A T A

To correct by adding/deleting words approved in Ordinance No. 114-89, adopted on April 14, 1989 and in Ordinance No. 262-94, adopted on July 15, 1994, that were inadvertently omitted in Ordinance No. 285-94, all of which amended Section 603, Subsection (j), of Article 6 of the San Francisco Planning Code as follows:

Page 2, Line 14: Add: twenty-four (24)

Page 2, Line 15: Add: area on either a

Page 2, Line 15: Add: shelter or associated advertising kiosk

Page 2, Line 16: Add: Commission or Public Transportation Commission

Page 2, Line 20: Delete ((,except that))

Page 2, Line 20: Add: ; and eight general advertising signs each not exceeding twenty-four (24) square feet in area on transit shelters located on publicly owned property on a high level Municipal Railway boarding platform in an RH-1D District adjacent to a C-2 District, provided that such advertising signs solely face the C-2 District.

Page 2, Line 20: Add New Paragraph: Notwithstanding the above,

Page 2, Line 21: Add: shelter or associated advertising kiosk

Page 2, Line 23: Add: Commission, with the exception of Justin Herman Plaza

Page 2, Line 23: Add/delete: Zoo Road((,));

Page 2, Line 24: Add/delete: John Muir Drive((,));

Page 2, Line 25: Add/delete: Lake Merced Boulevard((,));

Page 3, Line 3: Correct: Legion or Honor to read Legion of Honor

Page 3, Line 4: Add: Embarcadero; or

Page 3, Lines 5-7: Delete: ((or in the Market Street Special Sign District as established in Section 608.8 of this Code;))

Subsection (j) to read in its entirety as follows:

Two general advertising signs each not exceeding twenty-four (24) square feet in area on either a transit shelter or associated advertising kiosk furnished by contract with the Public Utilities Commission or Public Transportation Commission for the Municipal Railway in RM-2, RM-3, RM-4, RC, NC, C, M and South of Market Districts, and in those P Districts where such signs would not adversely affect the character, harmony or visual integrity of the district as determined by the City Planning Commission; ((except that)) and eight general advertising signs each not exceeding twenty-four (24) square feet in area on transit shelters located on publicly owned property on a high level Municipal Railway boarding platform in an RH-1D District adjacent to a C-2 District, provided that such advertising signs solely face the C-2 District.

ORIGINAL
When Stamped In Red

File No.115-93-8 Ordinance No. 285-94

E R R A T A - Page Three

Notwithstanding the above, no sign shall be placed on any transit shelter or associated advertising kiosk located on any sidewalk which shares a common boundary with any property under the jurisdiction of the Recreation and Park Commission, with the exception of Justin Herman Plaza; on any sidewalk on Zoo Road((,)); on Skyline Boulevard between Sloat Boulevard and John Muir Drive((,)); on John Muir Drive between Skyline Boulevard and Lake Merced Boulevard((,)); or on Lake Merced Boulevard on the side of Harding Park Municipal Golf Course, or any sidewalk on Sunset Boulevard between Lincoln Way and Lake Merced Boulevard; on any sidewalk on Legion ((or))of Honor Drive; on any sidewalk on The Embarcadero; or in the Civic Center Special Sign Districts as established in Section 608.3 of this Code((; or in the Market Street Special Sign District as established in Section 608.8 of this Code)).

John L. Taylor

John L. Taylor

Clerk of the Board

August 11, 1994

APPROVED AS TO FORM:

Robin Leake

Deputy City Attorney

12026(18)

FILE NO. 115-93-8 ORDINANCE NO. 285-94

(Public Service Kiosks)

AMENDING ARTICLE 6 OF THE SAN FRANCISCO PLANNING CODE BY AMENDING SECTIONS 603, 605 and 608 THEREOF, TO PERMIT ADVERTISING ON PUBLIC SERVICE KIOSKS ASSOCIATED WITH PUBLIC TOILETS, AND ADOPTING FINDINGS PURSUANT TO CITY PLANNING CODE SECTION 101.1.

Note: Additions or substitutions are <u>underlined</u>; deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1: The San Francisco Planning Code is hereby amended by amending Section 603 thereof to read as follows:

SEC. 603. EXEMPTED SIGNS. Nothing in this Article 6 shall apply to any of the following signs:

(a) Official public notices, and notices posted by public officers in performance of their duties;

(b) Governmental signs for control of traffic and other regulatory purposes, street signs, danger signs, railroad crossing signs, and signs of public service companies indicating danger and aids to service or safety;

(c) Temporary display posters, without independent structural support, in connection with political campaigns and with civic noncommercial health, safety and welfare campaigns, provided that in R districts such posters shall be removed within 60 days following th conclusion of the campaign;

(d) Flags, emblems, insignia and posters of any nation or political subdivision, and temporary displays of a patriotic,

religious, charitable or other civic character;

(e) House numbers, whether illuminated or not, "no trespassing," "no parking" and other warning signs;

(f) Commemorative plaques placed by recognized historical agencies;

(g) Signs within a stadium, open-air theater or arena which are designed primarily to be viewed by patrons within such stadium, open-air theater or arena;

(h) Religious symbols attached to buildings if not projecting beyond any street property line or building setback line;

(i) Flags indicating weather conditions, and single flags which are emblems of business firms, enterprises and other organizations;

(j) Two general advertising signs each not exceeding twenty-four (24) square feet in area on either a transit shelter or associated advertising kiosk furnished by contract with the Public Utilities Commission or Public Transportation Commission for the Municipal Railway in RM-2, RM-3, RM-4, RC, NC, C, M and South of Market Districts, and in those P Districts where such signs would not adversely affect the character, harmony or visual integrity of the district as determined by the City Planning Commission; ((except that)) and eight general advertising signs each not exceeding twenty-four (24) square feet in area on transit shelters located on publicly owned property on a high level Municipal Railway boarding platform in an RH-1D District adjacent to a C-2 District, provided

that such advertising signs solely face the C-2 District.

Notwithstanding the above, no sign shall be placed on any transit shelter or associated advertising kiosk located on any sidewalk which shares a common boundary with any property under the jurisdiction of the Recreation and Park Commission, with the exception of Justin Herman Plaza; on any sidewalk on Zoo Road((,)); on Skyline Boulevard between Sloat Boulevard and John Muir Drive((,)); on John Muir Drive between Skyline Boulevard and Lake Merced Boulevard((,)); or on //

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Lake Merced Boulevard on the side of Harding Park Municipal Golf Course, or any sidewalk on Sunset Boulevard between Lincoln Way and Lake Merced Boulevard; on any sidewalk on Legion ~~or~~ of Honor Drive; on any sidewalk on The Embarcadero; or in the Civic Center Special Sign Districts as established in Section 608.3 of this Code~~; or in the Market Street Special Sign~~ District ~~as established in Section 608.8 of this Code~~;

(k) Information plaques or signs which identify to the public open space resources, architectural features, creators of artwork, or otherwise provide information required by this Code or by other City agencies, or an identifying sign which directs the general public and/or patrons of a particular establishment to open space or parking resources, provided that such sign shall not project more than three inches from the wall and that its dimensions shall be no greater than one by two feet;

(l) Non-illuminated art murals within the South of Market Base District, if they project no more than 18 inches from the pre-existing surface of a structure((.));

(m) Two general advertising signs each not exceeding 52 square feet in area on a public service kiosk furnished by contract with the Department of Public Works which contract also provides for the installation and maintenance of automatic public toilets. Each such public service kiosk shall be divided into 3 sections, one of which shall provide a public service, such as a newsstand, newsrack, map, public telephone, vending machine, display of public service

information, or interactive video terminal.

Section 2: The San Francisco Planning Code is hereby amended by amending Section 605 to read as follows:

SEC 605. PUBLIC USE DISTRICTS. All applications for permits to erect business signs in P Districts shall be submitted to the City Planning Commission for approval or disapproval. The Commission, in its review, shall take into account the nature of the property and its use, the functional necessity for the sign, the proposed size, location, design and content of the sign, the degree of its harmony with the public purposes of the property and with the surrounding area, and the restrictions of this Code for signs in other districts. No general advertising sign, other than those signs exempted by Section 603 of this Code, shall be permitted.

Section 3: the San Francisco Planning Code is hereby amended by amending Section 608 thereof to read as follows:

SEC 608. SPECIAL SIGN DISTRICTS. In addition to the zoning districts that are established under other Articles of this Code, there shall also be in the City such Special Sign Districts as are established in this Article 6 in order to carry out further the purposes of this Code. The designations, locations and boundaries of these Special Sign Districts shall be as provided in this Article and as shown on the Zoning Map referred to in Section 105, subject to the provisions of Section 105. The original of the sectional map of the Zoning Map for Special Sign Districts (numbered SSD) referred to in this Article is on file with the Clerk of the Board of

Supervisors under File No. 138-62. In each such Special Sign District, signs, other than those signs exempted by Section 603 of this Code, shall be subject to the special limitations of Sections 608.1 through ((608.11)) 608.12, respectively, in addition to all other applicable provisions of this Code. In the event of inconsistency with any other provision of Article 6, the most restrictive provision shall prevail unless this Code specifically provides otherwise.

Section 4. PROPOSITION M FINDINGS. The Board of Supervisors, having reviewed the proposed legislation after hearing public testimony, finds and declares that this ordinance is in conformity with the priority policies of Section 101.1(b) of the City Planning code, and hereby adopts the findings of the City Planning Commission, as set forth in Resolution No. 619-94 and incorporates said findings by reference.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: _____
Deputy City Attorney

SUPERVISOR ALIOTO
3521E

Refused Passage
Board of Supervisors, San Francisco June 27, 1994

Ayes: Supervisors Alioto Hallinan Kennedy Maher

Noes: Supervisors Bierman Conroy Hsieh Kaufman Leal Migden Shelley

I hereby certify that the foregoing ordinance was refused passage by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

July 1, 1994 - Returned by Mayor with request for reconsideration by the Board of Supervisors.

John L. Taylor
Clerk of the Board

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 25, 1994	August 1, 1994
Ayes: Supervisors Alioto Conroy Hallinan Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Conroy Hallinan Kennedy Leal Maher Migden Shelley
Noes: Supervisors Bierman Hsieh Kaufman	Noes: Supervisors Bierman Kaufman
	Absent: Supervisor Hsieh

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
115-93-8

AUG 2 1994
Date Approved

Frank M. Jordan
Mayor

FILE NO. 97-94-25

ORDINANCE NO. 286-94

(Local Hiring - Contract Procedure)

AMENDING CHAPTER 6 OF THE SAN FRANCISCO ADMINISTRATIVE CODE (CONTRACT PROCEDURE) BY ADDING SECTION 6.56 THERETO REQUIRING THAT ALL CITY CONSTRUCTION CONTRACTS TO BE PERFORMED WITHIN THE BOUNDARIES OF THE CITY AND COUNTY OF SAN FRANCISCO INCLUDE A PROVISION REQUIRING PRIME CONTRACTORS TO MAKE GOOD-FAITH EFFORTS TO HIRE SAN FRANCISCO RESIDENTS TO COMPRISE NO LESS THAN 50% OF THEIR TOTAL CONSTRUCTION WORK FORCE.

Note: This section is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 6 of the San Francisco Administrative Code is hereby amended by adding Section 6.56 thereto, reading as follows:

SEC. 6.56. LOCAL HIRING.

(A) All contracts between the City and County of San Francisco and a contractor for the construction, reconstruction or repair of public buildings, streets, utilities or other public works or improvements within the boundaries of the City and County of San Francisco, shall contain the following provisions:

"Contractor promises to make a good-faith effort, with the assistance of community organizations designated by the City or local labor union hiring halls, to hire qualified individuals who are residents of the City and County of San Francisco to comprise no less than 50% of each contractor's total construction work force, measured in labor work hours, and contractor promises to give special preference to minorities, women and economically disadvantaged individuals."

"Contractor shall keep, and provide to the City, an accurate record showing the name, place of residence, hours employed and per diem pay of each person employed by the contractor, including full-time, part-time, permanent and temporary employees."

"Contractor shall keep, and provide to the City, an accurate record describing in detail contractor's good-faith efforts to secure employment of residents of the City and County of San Francisco."

"A failure to abide by these contract provisions may result in the imposition of sanctions and penalties, including those enumerated in San Francisco Administrative Code sections 6.25 and 6.45."

(B) Definitions.

(1) "Qualified individual" shall mean an individual who (a) is eligible for a certified apprenticeship program in an

AUG 17 1994

applicable trade; (b) has completed a certified apprenticeship program in an applicable trade; or (c) has completed comparable time in an applicable trade.

(2) "Resident of the City and County of San Francisco" shall mean an individual who is domiciled, as defined by §200(b) of the California Election Code, within the boundaries of the City and County during the entire time of the performance of the contract and who can verify his or her domicile, upon request of the contractor or City, by producing documentation such as a rent/lease agreement, telephone and utility bills or payment receipts, a valid California driver's license or identification card, and/or any other similar, reliable evidence that verifies that the individual is domiciled within the City and County of San Francisco.

(3) "Economically disadvantaged" shall mean an individual who has been unable to secure employment in his or her trade for more than 20 working days in the past six months, or whose annual maximum income falls within the income limits established by the Mayor's Office of Community Development for the Community Development Block Grant (CDBG) programs.

(C) The Human Rights Commission shall be the City agency charged with the monitoring and enforcement of the provisions of this ordinance.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: D. Scott Emly
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 18, 1994	July 25, 1994
Ayes: Supervisors Alioto Bierman Conroy Hallinan Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Leal Maher Migden Shelley
Absent: Supervisor Hsieh	Absent: Supervisor Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
97-94-25

AUG 4 1994
Date Approved

Frank M. Jordan
Mayor

FILE NO. 97-94-38 ORDINANCE NO. 287-94

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTIONS 16.550 THROUGH 16.564 THERETO REGARDING RETIREMENT BOARD ELECTIONS

NOTE: Additions are underlined. Deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 16, Article IV, Section 16.550 through 16.564 of the San Francisco Administrative Code is hereby amended to read as follows:

ARTICLE XIII

ELECTION OF ((MEMBERS)) TRUSTEES FOR THE OF RETIREMENT BOARD

SEC. 16.550 PURPOSE. The Charter of the City and County of San Francisco provides that the ((membership)) trustees of the Retirement Board, ((which is)) who are entrusted with the administration of the San Francisco City and County Employee's Retirement System, shall include three trustees ((members)) elected from the active and retired members (((not including retired persons))) of the Retirement System. As used in this article, a retired member shall mean a person who is in receipt of a retirement allowance relating to his or her membership in the retirement system. Whenever the term of office of such an elected ((member)) trustee expires or whenever a vacancy occurs in such an office so that an election is necessary to fill a present or expected vacancy, the following provisions shall

govern the election procedure.

SEC. 16.551 RETIREMENT BOARD TO ORDER ELECTIONS. If a vacancy occurs, or will occur, in the office of an elected ((member)) trustee prior to the date that the term of that office expires, the Retirement Board shall order a special election to fill the vacancy for the unexpired portion of the term of office, unless another election to a Retirement Board office is scheduled to be completed within six months after the vacancy has, or shall, occur, in which case the elections shall be combined; provided, however, that a separate special election shall be required if the election which has already been scheduled will occur too soon to nominate and select candidates for the more recent vacancy.

SEC, 16.552. DATES OF ELECTION. Whenever an election is necessary, either at the completion of a term of office or to fill an unexpired term of office, he Retirement Board shall specify the dates during which ballots may be marked and delivered. However, the dates designated by the Retirement Board shall not be within one month before or after an election which has been otherwise scheduled and which involves residents of the City and County of San Francisco as electors.

SEC. 16.553. NOTICE TO MEMBERS AND RETIRED MEMBERS; NOMINATION OF MEMBERS AND RETIRED MEMBERS. The Retirement Board shall thereafter notify the members and retired members of the Retirement System of the following:

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(a) The necessity for an election;

(b) The procedure for nomination and selection of candidates to serve on the Board; and

(c) The dates that ballots may be marked and delivered and the procedure for voting.

The period of time during which nominations may be made shall be set by the Retirement Board but in no event shall be less than ((2))31 days. Any person nominated to serve as a ((member)) trustee of the Retirement Board shall, on forms provided by the Retirement Board for this purpose and by the date set by the Retirement Board, verify acceptance of the nomination and agree to serve if elected before he or she may be listed as a candidate.

SEC. 16.554. NOTICE TO REGISTRAR. The Retirement Board shall notify the Registrar of Voters (hereafter "Registrar") at least 120 days prior to the first day that ballots may be marked and delivered (hereafter referred to as the first voting day) that an election shall be held.

SEC. 16.555. NOTICE TO DEPARTMENTS; APPOINTMENT OF ELECTION OFFICERS. The Registrar shall notify each department, office and agency of the City and County of San Francisco (hereunder referred to as "department") at least 90 days prior to the first voting day that the department must designate an employee who shall serve as Election Officer for that department and must inform the Registrar at least 60 days prior to the first

voting day of the identify of such officer. The Registrar shall supply each department with a form which can be returned to the Registrar which identifies the employee who has been designated Election Officer. If any department has not designated an Election Officer by the appointed deadline, the Registrar shall notify the department that the deadline has passed and shall continue to provide such notice until such designation has been made.

SEC. 16.556. INSTRUCTIONS TO ELECTION OFFICERS. The Registrar shall provide written instructions to each Election Officer at least 21 days prior to the first voting day, informing such officer of dates on which ballots will be distributed and collected and the procedure to be followed for their distribution and collection. If any department has failed to designated an Election Officer by the time that the Registrar sends these written instructions, the Registrar shall thereafter treat the administrative head of the department as the Election Officer until another employee has been designated as such by that department.

SEC. 16.557. DELIVERY OF BALLOTS AND NAMES OF ELIGIBLE VOTERS TO REGISTRAR. The Retirement Board shall furnish the Registrar with the names of the eligible nominees ((ballots and accompanying envelopes)) at least 35 days prior to the first voting day. ((The ballots shall be separated by department. The Registrar shall be responsible for any stuffing of envelopes that

is required prior to distribution of the ballots to the departments.))

The Retirement Board shall also furnish the Registrar with a list of the members and retired members of the Retirement System eligible to vote ("voters") in the election at the same time that it furnishes the names of the eligible nominees ((ballots)). A supplemental list shall be furnished to the Registrar within two days of the first voting day, which list shall provide the names of eligible voters not included on the original list. These lists shall be in the format required by the Registrar. These lists shall include the last known addresses for the members and retired members. For the active members, the department address shall be sufficient.

SEC. 16.558. BALLOTS TO CONTAIN INSTRUCTIONS FOR VOTING.

Each ballot shall contain instructions printed on it informing the voters of the procedure to be used in marking the ballot. ((This procedure shall include marking the ballot, placing the marked ballot inside the ballot return envelope, sealing the envelope and signing one's name on the envelope. The instructions shall note that printing one's name or failing to sign the envelope as indicated will invalidate the ballot.))

Each ballot, or ballot return envelope, shall inform the voter that there are three ways to return the ballot:

(a) By placing the ballot in the container maintained for such purpose by the Election Officer of the voter's department, or by otherwise using the collection procedure arranged for by

the Election Officer;

(b) By delivering the ballot personally to the office of the Registrar; and

(c) By placing a stamp on the ballot return envelope and mailing the ballot and envelope to the Office of the Registrar.

The instructions shall also note the date by which ballots are to be delivered as noted above in order to be counted.

SEC. 16.559. BALLOTS TO BE PLACED IN ADDRESSED ENVELOPES; EXTRA BALLOTS.

(a) Members: Each ballot and ballot return envelope shall be placed in a separate envelope addressed to each employee eligible to vote in care of his or her department.

(b) Retired members: Each ballot and ballot return envelope shall be placed in a separate envelope addressed to the retired member at the address provided by the Retirement System. Additional ballots shall be printed and available for members and retired members of the Retirement System who are eligible to vote but did not receive an individually addressed ballot.

SEC. 16.560. DELIVERY OF BALLOTS AND INSTRUCTIONS TO ELECTION OFFICERS.

(a) Members: The Registrar shall deliver the ballots and accompanying envelopes to each Election Officer by at least 10 days prior to the first voting day, along with written instructions for their proper distribution and collection and any other pertinent guidelines as set out in these provisions or as

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otherwise applicable.

(b) Retired Members: The Registrar shall deposit in the mail the ballots and accompanying envelopes to each retired member at least 10 business days prior to the first voting day.

SEC. 16.561. DUTIES OF ELECTION OFFICERS. Each Election Officer shall:

(a) Prior to the date that ballots are delivered, inform the department or employee responsible for distributing paychecks to employees of the department (hereafter referred to as the Payroll Department) of the dates during which ballots are to be distributed to employees and of the responsibility of the Payroll Department to make arrangements to distribute a ballot with each paycheck by a date that will allow each voter at least three days to mark and deliver the ballot;

(b) Upon receipt of the ballots, coordinate his or her efforts and those of the Payroll Department to insure that the ballots are ready to be distributed along with paychecks by a date that will allow each voter at least three days to mark and deliver the ballot;

(c) Provide notice to employees who are in the Retirement System but would not be likely to receive ballots along with their paychecks, such as employees on the temporary payroll, that ballots are available;

(d) Provide ballots to employees who did not, or would not, receive them along with their paychecks pursuant to the

procedure established by the Registrar;

(e) Establish and maintain a collection procedure so that employees have a convenient method of returning ballots, which method shall, where possible, make use of at least one container in which ballots can be placed; and

(f) Return the ballots which have been received or otherwise collected according to the collection procedure established by such officer to the Registrar, either personally or by the inter-office mail system, in a timely manner so that the ballots will be delivered to the Registrar by the date established by the Retirement Board as the final date for such delivery.

SEC. 16.562. DUTY OF PAYROLL DEPARTMENT. The Payroll Department shall provide cooperation and assistance in sorting the ballots or performing other tasks necessary to insure that the ballots are distributed along with paychecks by a date that will allow each voter at least three days to mark and deliver the ballot.

SEC. 16.563. COUNTING OF BALLOTS AND CERTIFICATION OF NEW ((MEMBER)) TRUSTEE. The Registrar shall thereafter count the ballots in such a manner that the identity of the individual casting any particular ballot will not be disclosed. Each ballot shall be counted so long as it has been properly marked, signed and delivered ((in accordance with the requirements set out in Section 16.608 above pertaining to the proper method of marking

and delivering ballots, unless the ballot is otherwise invalid)). Within 5 days of the close of voting and prior to certification, the Secretary-General Manager for the Retirement System shall attest to the Registrar whether there is a retired member serving as trustee on the Retirement Board:

(a) If, at that time, there is no retired member serving as trustee, t((T))he Registrar shall certify the individual receiving the highest number of votes ((i))as the newly elected ((member)) trustee of the Retirement Board.

(b) If, at that time, there is a retired member serving as trustee, the Registrar shall certify the member (not a retired member) receiving the highest number of votes as the newly elected trustee of the Retirement Board.

When there is no vacancy, the Registrar shall certify the new trustee as close to the expiration of the term as reasonably possible.

SEC. 16.564. RETIREMENT BOARD TO REIMBURSE REGISTRAR.

The Retirement Board shall reimburse the Office of the Registrar for the actual expenses incurred by it in conducting Retirement Board elections.

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By: _____
Deputy City Attorney

3928r

BOARD OF SUPERVISORS

DEPOSITORY ITEM
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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 18, 1994	July 25, 1994
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Leal Maher Migden Shelley
	Absent: Supervisor Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

John L. Taylor
Clerk

File No.
97-94-38

AUG 4 1994
Date Approved

Frank M. Jordan
Mayor

FILE NO. 97-94-44 ORDINANCE NO. 288-94

[Clerk's Fees]

AMENDING CHAPTER 8 OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 8.33, AUTHORIZING THE COUNTY CLERK-RECORDER TO INCREASE FEES OTHERWISE SET BY STATE LAW TO REFLECT THE ACTUAL COST OF PROVIDING CERTAIN RECORDS AND SERVICES.

Note: Additions or substitutions are indicated by underlining; deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 8 of the San Francisco Administrative Code is hereby amended by amending Section 8.33 to read as follows:

SEC. 8.33 COUNTY CLERK(('S)) -RECORDER'S FEES. Pursuant to Government Code sections 54985-54987 and 27366, the County Clerk-Recorder is hereby authorized to charge fees to defray the actual cost of issuance of the following documents and provision of the following services, notwithstanding the fees otherwise set or limited by state law. Any persons requesting such documents or services shall pay the following fees:

Marriage License (regular)	$((60.00))	69.00
Filing Confidential Marriage Certificates	((60.00))	74.00
Marriage Ceremonies in City Hall	((20.00))	30.00

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Copies of Records or Papers on File (per page, retrieval by Clerk-Recorder staff, pages 1 through 3)....	((.75))	3.00
(each additional page)		0.50
Filing Fictitious Business Name Statement	((20.00))	35.00
Additional Name Filings	((5.00))	9.00
Withdrawals and Abandonments	((13.00))	24.00
Filing, Revoking or Cancelling Notary Public Bond	((17.00))	28.00
Filing Power of Attorney (Surety Insurer)	((10.00))	19.00
Additional Names	((6.00))	9.00
Issuance of Authority to Marry and Oath		50.00
Authentication of Public Official.....		10.00
Conforming Copies Surcharge		1.00
Microfilm of Daily Film of Recordings (per roll)		25.00
Microfiche (per frame)		2.00
Duplicates of Recorded Maps (first page)		5.00
(each additional page)		3.00

Such fees received by the County Clerk-Recorder shall be deposited with the City and County Treasurer. ((The Controller shall reimburse the County Clerk for the direct and indirect costs of providing these documents and services.)) Portions of the fees for marriage licenses and confidential marriage certificates shall be disbursed in accordance with Government Code sections 26840,

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26840.1, 26840.3, 26840.7, and 26840.8 and San Francisco Administrative Code section 10.117-21.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By _____
Deputy City Attorney

cc

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 18, 1994	July 25, 1994
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Leal Maher Migden Shelley
	Absent: Supervisor Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No.
97-94-44

AUG 4 1994
Date Approved

_____
Mayor

As amended in committee
July 13, 1994.

FILE NO. 101-93-118

ORDINANCE NO. 289-94

(Government Funding)

RO#94021
SA#154

mlr
7/13

APPROPRIATING $9,722,458 OF COURTHOUSE CONSTRUCTION FUNDS FOR CAPITAL IMPROVEMENT PROJECT OF THE SUPERIOR AND MUNICIPAL COURTS FOR FISCAL YEAR 1994-95, PLACING ~~$9,321,080~~ $2,769,323 ON RESERVE.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1994-95 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	AMOUNT Debit	AMOUNT Credit
02-010	Courthouse Construction Fund		
10-00-00	Superior Court		
Project 001-01	Courthouse Temporary Construction		
GL490 (045690)	Unappropriated Revenue	$9,722,458	
Project 700-01	Courthouse Construction		
20-2030 (316117)	Capital Improvement Project		$9,722,458
	TOTAL	$9,722,458	$9,722,458

Section 2. ~~Funds in the amount of $9,321,080 are hereby placed on reserve pending the completion of the Environmental Impact Report and selection of contractors, to be released by the Budget Committee.~~

mlr
7/13

Funds in the amount of $2,769,323 are hereby placed on reserve pending the identification of contractors, cost details and their MBE/WBE status, to be released by the Budget Committee.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

s:\pro\budget10sa154

FUNDS AVAILABLE:

[signature]
CONTROLLER

SUPERVISOR ALIOTO
BOARD OF SUPERVISORS

CC

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Board of Supervisors, San Francisco

Passed for Second Reading

July 18, 1994

Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley

Finally Passed

July 25, 1994

Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Leal Maher Migden Shelley

Absent: Supervisor Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Clerk

File No.
101-93-118

AUG 4 1994
Date Approved

[signature]
Mayor

FILE NO. 101-94-3

ORDINANCE NO. 290-94

(Government Funding)

RO#94012
SA#152

APPROPRIATING AND CERTIFYING $92,166 FOR CAPITAL IMPROVEMENT PROJECT TO COVER 10% OVERAGE AS PER CHARTER SECTION 7.203, PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN, DEPARTMENT OF PUBLIC WORKS FOR FISCAL YEAR 1994-1995.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1994-1995 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
35-801	**Clear Water-Repair and Replacement Project Fund**		
90-06-00	Public Works - Engineering		
Project 632-40	Geary/Arguello to Fifth Avenue Sewer Lining		
20-2030 (542985)	Capital Improvement Project	$92,166	$92,166
	Total	$92,166	$92,166

Section 2. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM
LOUISE H. RENNE CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

[signature]
CONTROLLER

Supervisor Alioto

CC

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Board of Supervisors, San Francisco

Passed for Second Reading
July 18, 1994
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley

Finally Passed
July 25, 1994
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Leal Maher Migden Shelley
Absent: Supervisor Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Clerk

File No. 101-94-3

AUG 4 1994
Date Approved

[signature]
Mayor

File No. 121-94-7 ORDINANCE NO. 291-94

[Street Artist Hearing Procedure]

AMENDING PART II, CHAPTER VIII OF THE SAN FRANCISCO MUNICIPAL CODE (POLICE CODE) BY AMENDING SECTIONS 2401, 2408, AND 2409 TO REVISE PROCEDURES FOR THE SUSPENSION OR REVOCATION OF STREET ARTIST CERTIFICATES.

Note: Additions or substitutions are indicated by underlining; deletions are indicated by ((double parenthesis)).

Be it ordained by the People of the City and County of San Francisco:

((Section 2401)) Section 2401. Additional Definitions. For the purpose of administering Proposition "L," the following words or phrases shall mean or include:

(a) "Art" or "Craft." The terms "art" or "craft" do not include any item intended or suitable for human consumption.

(b) "Handcrafted item." ((.)) An item predominantly created or significantly altered in form by the street artist.

(c) "Proposition (("")) " L." "((.)) Proposition "L" on the November 4, 1975 ballot in San Francisco, an initiative ordinance.

(d) "Street Artist." ((.)) Any person who has been certified as a street artist or craftperson pursuant to the provisions of Proposition "L."

(e) "Street Artist Certificate." ((.)) A certificate issued by the Art Commission pursuant to the provisions of Proposition "L" and this Article.

(f) "Street Artist Program." A program of the Art

Commission which implements the provisions of Proposition "L" and this Article.

(g) "Street Artist Program Committee." A committee appointed by the Art Commission and consisting solely of Commission members. The Committee shall have responsibility for oversight of the Street Artist Program.

(h) "Program Director." The director of the Street Artist Program, responsible for administering the provisions of Proposition "L" and this Article, on behalf of the Executive Director of the Art Commission.

Section 2408. Issuance, Denial, Suspension, or Revocation of Certificate; Appeals.

(a) The issuance of Street Artist((s)) Certificates is governed by Section 5 of Proposition "L." The violation by a street artist of any provision of Proposition "L,"((,)) this Article or any rules or regulations issued pursuant to this Article of which the person has been given notice, shall be grounds for denial, suspension or revocation, after a public hearing and for good cause shown, of the Street Artist Certificate.

(b) The Art Commission shall adopt rules and regulations governing appeals ((to the Art Commission)) from a denial, suspension or revocation of a Street Artist((s)) Certificate. A public hearing on the suspension or revocation of a Street Artist Certificate shall be conducted by the Street Artist Program

DEPOSITED
AUG 17 1994

Committee. The findings and recommendations of the Street Artist Program Committee shall be submitted directly to the Program Director, who shall approve or disapprove such findings and recommendations. The Program Director shall not amend such findings and recommendations. The Program Director may disapprove the findings and recommendations of the Street Artist Program Committee and order a rehearing only if: (1) the Program Director finds that a fair and public hearing has not occurred; (2) evidence critical to the Street Artist's case was not introduced except that a Street Artist shall not be relieved of his or her failure to put on evidence unless it was improperly excluded, or it constitutes new evidence which the Street Artist using reasonable diligence could not have obtained until after the hearing; or (3) the artist failed to appear at the hearing and has, for good cause, subsequently requested another hearing. A Street Artist shall have five business days following his or her hearing before the Street Artist Program Committee in which to request a rehearing, after which time the Program Director shall render his or her decision on the Program Committee's findings. The decision of the Program Director shall be made in writing, and may only be appealed in accordance with Section 2409. The Program Director's decision concerning the suspension or revocation of a Street Artist Certificate shall not be appealable to any level of the Art Commission.

Section 2409. Appeals to Board of Permit Appeals. Appeals

to the Board of Permit Appeals from the final decision of the Art Commission to grant((,)) or deny((, suspend or revoke)) a Street Artist((s)) Certificate shall be governed by Article I, Section 30 of Part III of the Municipal Code and shall be filed not later than ((10)) 15 days after the final decision of the Art Commission. Appeals to the Board of Permit Appeals from the final decision of the Program Director to suspend or revoke a Street Artist Certificate shall be governed by Article I, Section 30 of Part III of the Municipal Code and shall be filed not later than 15 days after the Program Director's decision approving or disapproving the Program Committee's findings and recommendations.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By _____
Deputy City Attorney

cc

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
July 18, 1994	$	July 25, 1994
	$	
	$	
Ayes: Supervisors Alioto Bierman	$	Ayes: Supervisors Alioto Bierman
Conroy Hallinan Hsieh Kaufman	$	Conroy Hallinan Hsieh Kaufman
Kennedy Leal Maher Migden Shelley	$	Leal Maher Migden Shelley
	$	
	$	Absent: Supervisor Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
121-94-7

AUG 4 1994
Date Approved

Frank M. Jordan
Mayor

DEPOSITORY ITEM
DOCUMENTS DEPT.
AUG 17 1994
S.F. PUBLIC LIBRARY

As amended in committee
July 13, 1994.

FILE NO. 124-94-8 ORDINANCE NO. 292-94

(ADMINISTRATIVE FEE - TOWING)

AMENDING ARTICLE 9 OF THE SAN FRANCISCO TRAFFIC CODE BY ADDING SECTION 170.2-A AND 170.2-B THERETO, PROVIDING FOR THE COLLECTION OF AN ADMINISTRATIVE FEE FOR THE TOWING OF VEHICLES UNDER CERTAIN CONDITIONS AND ORDERED BY THE POLICE DEPARTMENT, AND AMENDING CHAPTER 10C OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 10C.1.

NOTE: All language is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Article 9 of the San Francisco Traffic Code is hereby amended by adding Section 170.2 thereto to read as follows:

SEC. 170.2-A. ADMINISTRATIVE FEE - POLICE DEPARTMENT AND DEPARTMENT OF PARKING AND TRAFFIC.

(a) A fee to reimburse the City and County for costs incurred in the administration of the procedures for removing vehicles shall be charged by the San Francisco Police Department to the owner of a vehicle removed pursuant to Sections 22651(h), 22651(p), 22655.5 or 22850.5 of the California Vehicle Code. Such charges collected for the removal or storage of vehicles shall not be subject to the reimbursement provisions of Section 10C.1. of the Administrative Code.

(b) The Chief of Police shall propose the fee authorized by subsection (a). The fee shall not go into effect until

approved, by resolution, by the board of supervisors. The fee shall not exceed an amount that covers the actual costs incurred by the City and County in the removal, impoundment, storage, and release of the vehicle. The fee imposed pursuant to this Section shall not be taken into account in determining the maximum fee that may be charged by the operator to the owner of a removed vehicle as provided in Section 166 of this Article 9, nor shall the administrative fee imposed pursuant to this Section be taken into account in determining whether a fee charged by the operator to the owner of removed vehicle is excessive under Section 170 of this Article 9.

(c) The Chief of Police, with the approval of the Police Commission, is hereby authorized to adopt such rules, regulations and procedures as they determine are necessary for the department to impose, collect and administer the fee imposed by this Section.

SEC. 170.2-B. TRAFFIC OFFENDER FUND.

(a) Establishment of Fund. There is hereby established a special fund for the purpose of receiving and expending fees collected for the impoundment of a vehicle pursuant to Section 170.2-A. Said special fund shall be known and designated as the Traffic Offender Fund.

(b) Expenditure of Monies. The appropriation of all monies in the Traffic Offender Fund ("Fund") shall be made exclusively for the purposes of the Traffic Offender Program. The Traffic Offender Program shall include the enforcement of,

AUG 17 1994

education for, and prosecution of a suspended or revoked driving privilege, unlicensed driver, and persons driving under the influence of alcohol or drugs. Expenditures shall include, but not be limited to, purchase of equipment, contractual services, material and supplies, any other technology necessary to prosecute the case, and personnel costs, including salary and benefits for a Deputy District Attorney and a part-time law clerk, specifically provided to the Program. The administration of the Fund shall conform to the provisions of the Charter, annual appropriation ordinance, and the procurement procedures as prescribed by the Controller and the Purchaser.

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(c) Accumulation of Monies in Fund. The balance remaining in the Traffic Offender Fund at the close of any fiscal year shall be deemed to have been provided for a specific purpose and shall be carried forward and accumulated in said fund for the purposes recited herein.

Section 2. Chapter 10C of the San Francisco Administrative Code is hereby amended by amending Section 10C.1 thereof to read as follows:

SEC. 10C.1. REIMBURSEMENT FOR TOW ON VEHICLES; CONDITIONS THEREFOR. (1) Except as provided in Sections 10C. 8 and 10C.8-1, fees, charges or costs imposed for the towing or storage of vehicles of the amount charged for removal of components of vehicle may be reimbursed to the owner or person in lawful

possession of the vehicle if the fees, charges or costs were incurred:

(a) Because the subject vehicle was towed and stored at the order of the San Francisco Police Department to examine the vehicle for evidence of a crime;

(b) Because the subject vehicle was towed and stored by the order of the San Francisco Police Department or the Department of Parking and Traffic and said towing or storage was not authorized by any of the several provisions of the Vehicle Code of the State of California;

(c) Because officers, agents or employees of the San Francisco Police Department or the Department of Parking and Traffic were negligent in reporting, filing, or recording the circumstances of the towing and storage of the vehicle;

(d) Because officers, agents or employees of the San Francisco Police Department or the Department of Parking and Traffic were negligent in reporting a vehicle as subject to towing or storage or ordering a vehicle towed and stored when, in fact, such vehicle was not subject to towing and storage; or

(e) Because a vehicle was towed or stored by order of San Francisco Police Department or the Department of Parking and Traffic for removal of components of the vehicle, which components were placed on the vehicle in violation of Section 10751 of the Vehicle Code.

(2) No person shall be reimbursed for tow and storage

charges collected pursuant to Section 170.2-A of the Traffic Code.

(((2))) (3) Pursuant to the provisions of Sections 10C.8 and 10C.8-1, indigent owners of vehicles and victims of auto theft shall be exempt from paying fees, charges, or costs imposed for the towing and storage of the vehicle, except no person shall be exempt from tow and storage charges pursuant to Section 170.2-4 of the Traffic Code.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: _____
Deputy City Attorney

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AUG 17 1994
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CC

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 18, 1994	July 25, 1994
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Leal Maher Migden Shelley
	Absent: Supervisor Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
124-94-8

AUG 4 1994
Date Approved

Frank M. Jordan
Mayor

FILE NO. 102-94-2

FISCAL YEAR 1994-95

ORDINANCE NO. 293-94

AN ORDINANCE ENUMERATING POSITIONS IN THE ANNUAL BUDGET AND APPROPRIATION ORDINANCE FOR THE FISCAL YEAR ENDING JUNE 30, 1995, CONTINUING, CREATING OR ESTABLISHING THESE POSITIONS; ENUMERATING AND INCLUDING THEREIN ALL POSITIONS CREATED BY CHARTER OR STATE LAW FOR WHICH COMPENSATIONS ARE PAID FROM CITY AND COUNTY FUNDS AND APPROPRIATED IN THE ANNUAL APPROPRIATION ORDINANCE; AUTHORIZING APPOINTMENTS OR CONTINUATION OF APPOINTMENTS THERETO; SPECIFYING AND FIXING THE COMPENSATIONS AND WORK SCHEDULES THEREOF; AND AUTHORIZING APPOINTMENTS TO TEMPORARY POSITIONS AND FIXING COMPENSATIONS THEREFOR.

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 18, 1994	July 25, 1994
Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley	Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Leal Migden Shelley
Noes: Supervisors Conroy Maher	Noes: Supervisors Conroy Maher
	Absent: Supervisor Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
102-94-2

08/05/94
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 45-94-43

ORDINANCE NO. 294-94

R0#93297

[SETTLEMENT OF LAWSUIT]

AUTHORIZATION SETTLEMENT OF LITIGATION OF DAWN WALKER AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $77,500 AND VOCATIONAL REHABILITATION BENEFITS OF $23,680.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled DAWN WALKER v. CITY AND COUNTY OF SAN FRANCISCO, ET AL., United States District Court No. C91-1190 SAW, by the payment of $77,500 for compensatory damages and $23,680 for vocational rehabilitation benefits.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK MAHONEY
Chief Trial Deputy

FUNDS AVAILABLE:

CONTROLLER

JUL 05 1994

09431

RECOMMENDED:

POLICE DEPARTMENT

ANTHONY RIBERA
Chief

APPROVED:
POLICE COMMISSION

SECRETARY

09431

BOARD OF SUPERVISORS

CC

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Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
July 25, 1994	$	August 1, 1994
	$	
	$	
Ayes: Supervisors Alioto Bierman	$	Ayes: Supervisors Alioto Bierman
Conroy Hallinan Hsieh Kaufman	$	Conroy Hallinan Kaufman Kennedy
Leal Maher Migden Shelley	$	Leal Migden Shelley
	$	
Absent: Supervisor Kennedy	$	Absent: Supervisors Hsieh Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
45-94-43

AUG 10 1994

Date Approved

Mayor

FILE NO. 27-94-12 ORDINANCE NO. 295-94

(Airport-Lease Modifications)

APPROVING MODIFICATION NO. 2 OF LAND LEASE NO. 73-0066 BETWEEN UNITED AIR LINES, INC. AND THE CITY AND COUNTY OF SAN FRANCISCO, ACTING BY AND THROUGH ITS AIRPORTS COMMISSION.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Pursuant to Section 7.402-1 of the Charter, the Board of Supervisors hereby approves Modification No. 2 of Land Lease No. 73-0066 between United Air Lines, Inc. and the City and County of San Francisco, acting by and through its Airports Commission, copies of which Modification are contained in Board of Supervisors' file number 27-94-12.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By _____
Deputy City Attorney

CC

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 25, 1994	August 1, 1994
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Kaufman Kennedy Leal Migden Shelley
Absent: Supervisor Kennedy	Absent: Supervisors Hsieh Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No. 27-94-12

AUG 10 1994
Date Approved

_____
Mayor

AUG 17 1994

FILE NO. 45-94-41

ORDINANCE NO. 296-94

RO#94018

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF ALBERT C. WALKER AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $20,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "Albert C. Walker v. City and County of San Francisco, et al.," San Francisco Superior Court No. 954-877 by the payment of $20,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

CIVIL SERVICE COMMISSION

EMI UYEHARA
President

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 30
11071 333148 1450 $20,000.00

JUL 01 1994

BOARD OF SUPERVISORS

CC

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 25, 1994	August 1, 1994
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Kaufman Kennedy Leal Migden Shelley
Absent: Supervisor Kennedy	Absent: Supervisors Hsieh Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-94-41

AUG 10 1994
Date Approved

Mayor

FILE NO. 45-94-44

ORDINANCE NO. 397-94

RO #94028

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF CURTIS COX AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $7,500.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "Curtis Cox v. City and County of San Francisco," San Francisco Superior Court No. 943-486, by the payment of $7,500.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

RECREATION AND PARK DEPARTMENT

MARY E. BURNS
General Manager

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 42
620245 1450 $7,500.00

JUL 05 1994

APPROVED:

RECREATION AND PARK COMMISSION

Secretary

2526b

BOARD OF SUPERVISORS

CC

AUG 17 1994

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 25, 1994	August 1, 1994
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Kaufman Kennedy Leal Migden Shelley
Absent: Supervisor Kennedy	Absent: Supervisors Hsieh Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-94-44

AUG 10 1994

Date Approved

Mayor

FILE NO. 46-94-9 ORDINANCE NO. 298-94

(SETTLEMENT OF LAWSUIT)

AUTHORIZING SETTLEMENT OF PATRICK YICK v. BRUCE COLLIER, ET AL., UPON RECEIPT OF THE SUM OF $37,500.00 AND DISMISSAL OF COMPLAINT.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized and directed to settle United States District Court Case No. C-92-05007 FMS entitled "Patrick Yick, Plaintiff, v. Bruce Collier, et al., Defendants" by acceptance of the sum of $37,500.00 and by dismissing complaint.

Section 2. Upon receipt of said sum of $37,500.00 and appropriate paperwork the City Attorney is authorized to dismiss said action.

APPROVED AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

By PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

RETIREMENT BOARD
SAN FRANCISCO CITY AND COUNTY
EMPLOYEES' RETIREMENT SYSTEM

By CLARE M. MURPHY
General Manager

33184/21

BOARD OF SUPERVISORS

CC

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AUG 17 1994
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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 25, 1994	August 1, 1994
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Kaufman Kennedy Leal Migden Shelley
Absent: Supervisor Kennedy	Absent: Supervisors Hsieh Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No. 46-94-9

AUG 10 1994
Date Approved

Frank M. Jordan
Mayor

FILE NO. 47-94-8 ORDINANCE NO. 299-94

(Moscone Center Garage)

APPROVING FORM OF MOSCONE CENTER GARAGE MANAGEMENT AGREEMENT AND BID DOCUMENTS AND AUTHORIZING DIRECTOR OF PROPERTY TO REQUEST BIDS FOR MANAGEMENT OF MOSCONE CENTER GARAGE USING THOSE DOCUMENTS.

Be it ordained by the People of the City and County of San Francisco:

Section 1. In accordance with the recommendation of the Parking and Traffic Commission pursuant to its Resolution No. 126-94-PA passed on June 7, 1994, the following bid documents for the management of the Moscone Center Garage are hereby approved and adopted in substantially the form that are on file in the office of the Clerk of the Board of Supervisors:

1. Form of Invitation for Bids
2. Form of Bid
3. Form of Prequalification Questionnaire
4. Form of Moscone Center Management Agreement

Section 2. The Director of Property is hereby authorized to request bids for the Moscone Center Garage Management Agreement using documents in substantially the form approved and adopted pursuant to Section 1 of this ordinance.

APPROVED AS TO FORM:
Louise H. Renne, City Attorney

By: [signature]
Deputy City Attorney

RECOMMENDED:

[signature]
Director, Parking & Traffic

[signature]
Director of Property

(Real Estate)

cc

DEPOSITED IN THE LEGISLATION DEPT.
AUG 17 1994
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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 25, 1994	August 1, 1994
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Kaufman Kennedy Leal Migden Shelley
Absent: Supervisor Kennedy	Absent: Supervisors Hsieh Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Clerk

File No. 47-94-8

AUG 10 1994
Date Approved

[signature]
Mayor

FILE NO. 101-94-4

ORDINANCE NO. 300-94

(Government Funding)

RO#94013
SA#153

APPROPRIATING $1,545,654 FROM 1989 EARTHQUAKE SAFETY BOND FUND INTEREST EARNINGS FOR CAPITAL IMPROVEMENTS TO THE PALACE OF THE LEGION OF HONOR, DEPARTMENT PUBLIC WORKS, FOR FISCAL YEAR 1994-1995.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1994-1995 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
05-613	**1989 Earthquake Safety Bond Fund**		
90-02-00	Public Works - Architecture		
54-5401 (053595)	Interest Earned	$1,545,654	
61-00-00	Fine Art Museum		
Project 460-01	Palace of the Legion of Honor		
20-2030 (772186)	Capital Improvement Project		$1,545,654
	Total	$1,545,654	$1,545,654

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

[signature]
CONTROLLER

SUPERVISOR ALIOTO

CC

DEPOSITORY FOR LEGAL DOCUMENTS
AUG 17 1994
SAN FRANCISCO PUBLIC LIBRARY

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 25, 1994	August 1, 1994
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Kaufman Kennedy Leal Migden Shelley
Absent: Supervisor Kennedy	Absent: Supervisors Hsieh Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Clerk

File No.
101-94-4

AUG 10 1994
Date Approved

[signature]
Mayor

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